Anno xliij. Reginæ Elizabethæ.

At the Parliament

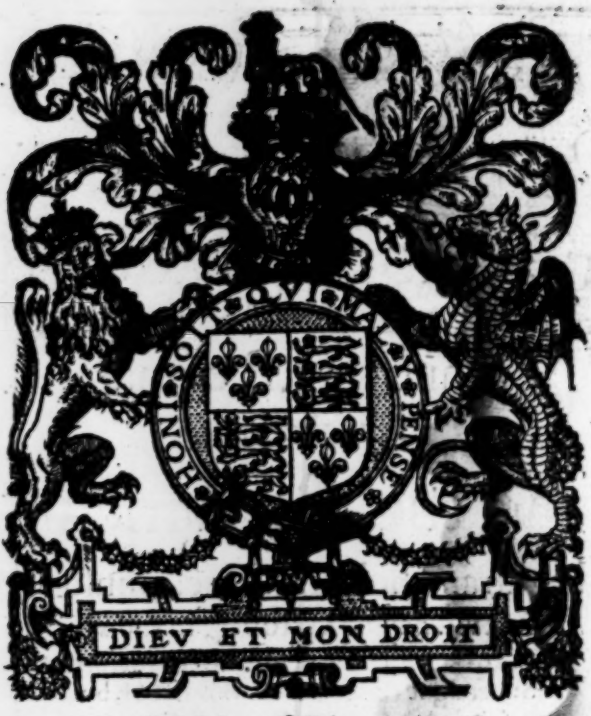
begun and holden at Weſtminſter the xxvij. day of October, in the xliij. yeere of the Reigne of our moſt gracious Soueraigne Lady ELIZABETH, by the grace of God of England, France and Ireland Queene, Defender of the Faith, &c.

And there continued vntill the diſſolution thereof, being the xix. of December next following,

1601.

To the high pleaſure of Almighty God, and the weale publique of this Realme, were enacted as followeth.

¶ Imprinted at London by Robert Barker, Printer to the Queenes moſt excellent Maieſtie.



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¶ Anno xliij. Reginæ Elizabethæ: Chap. j.

An act for confirmation of Grants made to the Queenes Maieſtie, and of Letters Patents *made by her Highneſſe* to others.

The firſt Chapter.

NOw moſt humble wiſe beſeechen your moſt excellent Maieſtie, the Lords Spiritual and Temporal, and the Commons in this your Highneſſe Parliament aſſembled, That whereas ſithence the eight day of Februarie, in the fiue and twentieth yere of your Maieſties reigne, diuers and ſundry Honors, Caſtles, Mannors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, haue bene conueyed and aſſured to your Highneſſe, your Heires and Succeſſors, by and from diuers and ſundrie perſons and bodies politike, aſwell for the diſcharge and ſatisfaction of great debts and ſummes of money, as for other good conſiderations: That for better aſſurance, confirmation, and ſuretie thereof, It may be enacted by authoritie of this preſent Parliament, That all Feoffements, Fines Surrenders, Aſſurances, Conueyances and Eſtates, in any wiſe conueied, had or made to or for your Highneſſe, by or from any perſon or perſons, bodies politike or corporate, ſithence the ſayd eight day of Februarie, in the fiue and twentieth yere of your Maieſties reigne, of any Honors, Caſtles, Mannors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, for any debt, ſumme or ſummes of money, or other conſideration whatſoeuer, other then conueyances of eſtates heretofore had or made by any Eccleſiaſtiall perſon or perſons, or bodies politike or corporate, not hauing power or ability by the Lawes and Statutes of this Realme to make the ſame, ſhal ſtand, remaine, and be good

and auaileable in the Lawe, to all intents, constructions and purposes, according to the true meaning, intent, and purport of the same, Sauing to all and euery person and persons, and to their heires, bodies politique and corporate, and to their successors, and euery of them, other then such person or persons, and their heires and wiues being parties, or privies to such Conueyances or Assurances, and euery of them, bodies politique and corporate, and their successors, and euery of them, of or from whom the Queenes Highnesse hath had, obtained, or purchased any Manors, Messuages, Lands, Tenements, Rents, Reuersions, Seruices, or Hereditaments, by Exchange, Gift, Bargaine, Fine, Feoffement, Recouery, Deed inrolled, or otherwise, all such right, title, interest, vse, possession, rents, reuersions, remainders, offices, fees, commons, profits, and commodities whatsoeuer, which they or any of them, haue, might, or ought to haue had, of, in, or to the premisses, or any part thereof, in as large and ample maner, forme and condition to all intents, constructions and purposes, as if this Acte had neuer bene had, ne made, This present Act, or any thing therein contained to the contrary notwithstanding.

And whereas your excellent Maiestie sithence the sayd eighth day of Februarie, in the fiue and twentieth yeere of your Highnes reigne, as wel for diuers and great summes of money, as also for diuers & sundry other considerations, hath bargained, sold, giuen and granted by your Highnesse sundry Letters Patents, Indentures or other writings, sealed vnder the great Seale of England, or the seale of the Duchie of Lancaster, or the seale of the Countie Palatine of Lancaster, as well to bodies politike and corporate, as to diuers and sundry other your Highnesse louing and obedient Subiects, diuers and sundry Honours, Mannors, Lands, Tenements, Rents, Reuersions, Seruices, and other hereditaments in fee simple, fee taile, or for terme of life, liues or yeeres, as in the same seuerall Letters Patents, Indentures and other writings is mentioned and declared, That to the intent the same Letters Patents, Indentures and other writings, may be of good, auaileable and perfect force and effect, to all and euery your Highnesse louing Subiects, according to the true meaning and effect of the same: It may please your most excellent Maiestie, that it may be enacted by authority of this present Parliament, That as well all and singular Letters Patents, Indentures and other writings sealed vnder the great Seale of England, or vnder the seale of the Duchy of Lancaster, or the seale of the Countie Palatine of Lancaster, heretofore made and granted by your Highnesse for any summes of money, or for any other considerations, sithence the sayd eight day of February in the fiue and twentieth yeere of your Highnesse reigne, as all

other

other Letters Patents hereafter to be made by your Highnesse, for any summe or summes of money or other considerations, before the last day of this present Session of Parliament. And moreouer, all other Letters Patents within the space of one yere then next ensuing, to be made by force of, or according to the purport or true meaning of the Commission, vnder the great Seale of England now in being for sale of your Highnesse Lands to any body politike or corporate, or to any other person or persons whatsoeuer, of any Honours, Castles, Mannors, Lordships, Granges, Meses, Lands, Tenements, Medowes, Pastures, Rents, Reuersions, Seruices, Woods, Aduowsons, Nominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Leets, Courts, Liberties, Priuiledges, Franchises, or of any other hereditaments withtheir appurtenances, or of any part or parcell of them, sealed with or vnder the great Seale of England, or vnder the seale of the Dutchy of Lancaster, or the seale of the County Palatine of Lancaster, of whatsoeuer kinde, nature, or quality they or any of them be, or shall be reputed, knowen or taken with their appurtenances, or any part or parcell of them, shall be good, perfect and effectuall in the Law, and shall stand, be taken, reputed, deemed, and adiudged good, perfect, sure, auaileable and effectuall in the Law, against your Highnesse, your heires and successors, according to the tenor and effect of the sayd Letters Patents, Indentures, or other Writings, the same to be expounded, construed, deemed, and adiudged most beneficially for the Patentees and Grantees of the same, and their heires, assignes, executors and administrators, according vnto the words and purport of every the said Letters patents, Indentures or other writings, without any confirmation, licence, or tolleration of your Highnesse, your heires or successors, any misnaming, misrecitall, or non recitall of any the same Honours, Castles, Manours, Lands, Tenements and other the premisses, or of any parcell thereof, or any lacke of finding of offices or inquisitions, of and in the premisses, or any part thereof, whereby the title of your Highnesse therein ought to haue bene found before the making of the same Letters patents, Indentures, or other writings, or any misrecitall, or non recitall of leases thereof made, aswell of Record as not of Record, or any misrecitall, non recital, or not true mentioning in any such Letters patents, Grants or Writings of your Maiesties owne estate or estates, either of freeholde or inheritance, of, or in the premisses or any part thereof, whereunto your Maiestie hath beene seisence the beginning of your reigne, or hereafter shall be intitled by any attainder, escheat, conueyance or assurance whatsoeuer, and in which Letters patents, Grants or writings, no estate taile hauer by made, or supposed to be made, haue beene or shall be recited,

ted, and the reuerſion or remainder thereupon expectant in the ſame Letters Patents, Grants or Writings granted or mentioned to be granted, or any lacke of the certainty, miſcalling, rating, or ſetting forth of the yeerely value and rate of the premiſſes, or of the yeerely Rents reſerued of and for the premiſſes, or any parcell thereof mentioned or conteined in any of the ſayd Letters Patents, or other Writings, or for that the premiſſes be, or any part thereof is valued at a more or leſſe value in the ſayd Letters Patents or Writings, then the ſayd Manors, Lands, Tenements, and other the premiſſes, then were or ſhall be in yeerely value, or any miſnaming or not true naming of the Townes, Hamlets, Pariſhes, or Counties where the ſame Honours, Manors, Lands, Tenements, Rents, Hereditaments, and other the premiſſes and euery parcell therof, or any parcell therof, lien or bene, or any lacke of the true naming of the Lands, Tenements, or Hereditaments, or of the natures, kinds, ſorts, qualities, or quantities of the ſayd poſſeſſions, or hereditaments, or any parcell therof, or any lacke of the true naming of the corporation, or any lacke of Attornement, Liuery or Seizin, or of any miſnaming of any the late Tenants or Farmers of the ſame Honours, Manours, Lands, Tenements and Hereditaments, or any part thereof, ſold, granted or giuen, or of any miſnaming of ſuch perſon or perſons, bodies politike or corporate, as at any time before the making of ſuch Letters Patents were, or ſhall be owners of the premiſſes or any part thereof, to the contrary not withſtanding.

Prouided, that this Act, nor any thing therein conteined, ſhall not extend to make any Letters Patents of any office or offices, to be of any other effect, force, or ſtrength, then the ſame Letters Patents were, or ſhould haue beene, before the making of this Act. Prouided alſo, that all and ſinguler ſuch Patentees, Grantees, and Donees, and euery of them, which at any time heretofore ſithence the ſayd eight day of Februarie, haue obteined and gotten of your Highneſſe, or at any time hereafter before the laſt day of this Seſſion of Parliament, or within the ſpace of one yeer then next inſuing, ſhall obtaine and get of your Highneſſe, by way of exchange, or for any ſumme or ſummes of money or other conſiderations, any Letters Patents of any Manours, Lands, Tenements, or Hereditaments whatſoeuer, which at the date of the ſayd Letters Patents were or ſhall be of better and more yeerely value to your Highnes, and ſo anſwered in yeerely rent and farme, then was, is, or ſhalbe conteined, mentioned, and ſpecified in ſuch Letters Patents, or in the particulars and rates therof made or to be made by any Auditour or Auditours, Surueyour or Surueyours, or other Officer, That then euery ſuch Patentee, Grantee, or Donee, their heires, executors or aſſignes, and euery of

of them, within one yeere next after office or other due proofe, or-
der, and decree thereof made and had, as to be made or had within
the space and terme of ten yeeres next after the end of this present
Session of Parliament in the Court of the Exchequer, shall con-
tent and pay vnto your Highnesse, your heires and successors for
the same ouerplus, and more value of the same Manors, Lands,
Tenements, and other hereditaments whatsoeuer with their ap-
purtenances so solde, giuen, graunted or exchanged as is afore-
said, after the rate of threescore yeeres purchase, and according
to such yeerely value and rate, as the same Manors, Lands, Te-
nements, and other hereditaments whatsoeuer were of and were
answered for, at the time of the making of any such Letters Pa-
tents, so made or to be made in maner and forme aforesaid: Any
thing conteined in any such Letters Patents to the contrary in
any wise notwithstanding.

Prouided also, that this Acte, or any prouiso therein conteined
shall not in any wise extend to confirme, ratifie, or make good any
graunt or leases made or to be made by your Highnesse for terme of
life, liues, or for yeeres, whereupon the old and accustomed rents
or more, or asmuch in value or more, proportionably, for the lands
and tenements so demised, or to be demised, bee not or hereafter
shall not be reserued and yerely payable during the time & terme of
euery such lease, nor that this present Act shall in any wise extend
to confirme and make good any Letters Patents made of any Of-
fice or Offices, to any Comptroller, Customer, Aulneger, Sear-
cher, nor to any Letters Patents of the Grant of any other office
or offices, heretofore granted or made by your Highnesse, which
now be, or at any time heretofore haue bene annihilated, determi-
ned, or made voyde by Iudgement, by authoritie of Parliament
or by decree, nor to any Patents to be made to any person or per-
sons for terme of yeeres, or during the minoritie of any heire of a-
ny Mannors, Lands, or Tenements, whereof any trauerse here-
after shall be tendred within three moneths after any office found
and certified into any your Highnes Courts of Record, ne to make
any Letters Patents made by your Highnesse of any office or offi-
ces to be of any other effect, force or strength, then the same Let-
ters Patents were or should haue beene before the making of
this Acte.

Prouided also, that this Acte or any thing therein conteined,
shall not extend to any Letters patents, or any gift or grant there-
in conteined, which at any time heretofore haue bene, or hereaf-
ter before the last day of this present Session of Parliament shall
be made by your Highnesse to any person or persons, of any Ma-
nors, Lands, Tenements, Rents, Reuersions, Seruices or other
hereditaments by force of any Information, Suite or Suggesti-
on,

on, made or to be made to your Highnelle, that the ſame Manors, Lands, Tenements, and other hereditaments ſo conteined in any ſuch Letters Patents were concealed Lands, or that the ſame or the profits therof, were vniuſtly withholden from your Highnes, but that the ſame Letters Patents and euery of them ſhall ſtand, remaine and be in the ſame force, ſtrength and effect, as they were before the making of this Acte, any thing in this Acte mentioned to the contrary notwithſtanding.

And yet neuertheleſſe, be it declared and enacted by authoritie of this preſent Parliament, that no Letters Patents, nor any gift or grant in them conteined, made or to be made by warrant of your Maieſties Commiſſioners, authorized to make compoſitions with your Highnelle Subiects for new Letters Patents or Grants to be made vnto them, are or ought to be taken, or ſhal be deemed and taken to be made by force of any Information, ſuit or ſuggeſtion, that the Manors, Lands, Tenements, or other hereditaments conteined in the ſame Letters Patents, were concealed lands, but that they and euery of them ſhall be within the full meaning of this Acte, to be fortified and made good (as other Letters Patents made without any ſuggeſtion or informations of concealement, or vniuſt withholding) bene.

Prouided alwayes, that this Acte nor any thing herein conteined, ſhall extend or be taken to make good any Letters Patents, Indentures, or other writings, or any Graunt in them, or any of them conteined, which heretofore haue bene adiudged or decreed to be voyde in any of your Maieſties Courts of Record at Weſtminſter, or by Act of Parliament, Nor to make good any Letters Patents, or any Graunt in them, or any of them conteined, of or concerning Licences, Powers, or Priuiledges, commonly called Monopolies, Nor to make good any Letters Patents or Grants, of or concerning power, licence, libertie, or authoritie giuen for execution of any penall Statute or Statutes, or for tolleration or diſpenſation of, to, or with any offence, prohibited by any penall Statute or Statutes, Nor to make good any Letters Patents to William Kirkeham Gentleman, or to any other by his procurement, concerning which there hath bene any Act of Parliament made heretofore, or any ſuite in your Maieſties Court of Star-chamber, or Chancery. Sauing to all and euery other perſon or perſons, and bodies politique and corporate, their heires and ſucceſſors, and euery of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and all other profits, and commodities whatſoeuer, as they or any of them ſhould, or might haue had before the Letters Patents thereof made, if this Acte had neuer bene had ne made: any thing therein conteined to the contrary notwithſtanding.

Prouided

Prouided alwayes, that this Acte, or any thing therein conteined, shall not extend to make good or auaileable in Law, any Letters Patents, or Graunt of the premisses, or any part thereof, whereof there was or shall bee any good and lawfull estate Tayle heretofore made by your Maiestie, or any of your Progenitors, or hereafter to be made by your Maiestie, vnlesse such estate Tayle be duely recited. Prouided alwayes, and be it enacted by the authoritie aforesaide, that neither this Acte, nor any thing therein conteined, shal extend to make good any Letters Patents heretofore made by your Maiestie, sithence the fiue and twentieth yeere of your Highnesse reigne, to any person or persons, and their heires, for and concerning the Manors, Graunges, Lands, Tenements, Tithes and other hereditaments whatsoeuer, set, lying, and being in the seuerall Parishes of Bakewell and Hartington in the Countie of Derby, and in the seuerall Parishes of Rowcester, Ha Rocester and Blower in the Countie of Stafford, mentioned or intended to haue bin conueied vnto Francis late Earle of Shrewsbury by the late King of famous memory King Henry the eight, by his Highnesse Letters Patents, bearing date at Westminster, the two and twentieth day of Nouember, in the three and thirtieth yeere of the reigne of the sayd late King. But for and concerning all other Manors, Lands, Tenements and hereditaments, conteyned in any such Letters Patents, made since the said fiue and twentieth yeere of your Maiesties reigne, the same shall bee within the remedie and prouisions of this present Act of Parliament, according to the purport, true intent and meaning of the same. Prouided alwayes, that neither this Acte, nor any thing therein contained, shall extende to the ratifying or making good of any Leale made by Iohn May late Bishop of Carliel deceased, to your Maiestie, which was not enrolled before the first day of this Session of Parliament.

(**)

¶ An act for the relieſe of the poore.

The ij. Chapter.

BE it enacted by the authoritie of this preſent Parliament, that the Churchwardens of euery Pariſh, and foure, three, or two ſubſtantiall houſholders there, as ſhall be thought meete, hauing reſpect to the proportion and greatneſſe of the ſame Pariſh and Pariſhes, to bee nominated yeerely in Eaſter weeke, or within one moneth after Eaſter, vnder the hande and ſeale of two or more Juſtices of the Peace in the ſame Counte, whereof one to be of the Quorum, dwelling in or neere the ſame Pariſh or diuiſion, where the ſame Pariſh doeth lye, ſhal be called Ouerſeers of the poore of the ſame Pariſh, And they, or the greater part of them ſhall take order from time to time, by, and with the conſent of two or more ſuch Juſtices of Peace, as is aforeſaid, for ſetting to worke of the children of all ſuch whoſe parents ſhall not by the ſaid Churchwardens, and Ouerſeers, or the greater part of them, bee thought able to keepe and maintaine their children. And alſo for ſetting to worke all ſuch perſons maried, or vnmaried, hauing no meanes to maintaine them, vſe no ordinary and dayly trade of life to get their liuing by, and alſo to raiſe weekely or otherwiſe (by taxation of euery Inhabitant, Parſon, Vicar, and other, and of euery occupier of Landes, Houſes, Tithes impropriate, or Propriations of Tithes, Cole-mines, and ſaleable vnderwoods in the ſaid Pariſh, in ſuch competent ſumme and ſummes of money, as they ſhall thinke fit) a conuenient ſtocke of Flaxe, Hempe, Wooll, Threed, Iron, and other neceſſary ware and ſtuffe to ſet the poore on worke, and alſo competent ſummes of money, for, and towards the neceſſary reliefe of the lame, impotent, old, blinde, and ſuch other among them being poore, and not able to worke, and alſo for the putting out of ſuch children to be apprentices, to be gathered out of the ſame Pariſh, according

the abilitie of the same Parish, and to doe, and execute all other things, as wel for the disposing of the said stocke, as otherwise concerning the premisses, as to them shall seeme conuenient. Which said Churchwardens and Ouerseers so to be nominated, or such of them as shall not be let by sicknesse, or other iust excuse, to be allowed by two such Iustices of Peace or more, as is aforesayd, shall meete together at the least once euery moneth, in the Church of the said Parish, vpon the Sunday in the afternoone, after diuine Seruice, there to consider of some good course to be taken, and of some meete order to be set downe in the premisses, and shall within foure dayes after the end of their yeere, and after other Ouerseers nominated as aforesayd, make and yeeld vp to such two Iustices of Peace as is aforesayd, a true and perfect account of all summes of money by them receiued, or rated and selled, and not rated, and also of such stocke as shall bee in their handes, or in the handes of any of the poore to worke, and of al other things concerning their said office, and such summe or summes of money as shall be in their handes, shall pay and deliuer ouer to the saide Churchwardens and Ouerseers, newly nominated and appointed as aforesaide, vpon paine that euery one of them absenting themselues without lawfull cause as aforesaid, from such monethly meeting for the purpose aforesaid, or beeing negligent in his office, or in the execution of the orders aforesaid, being made by them with the assent of the said Iustices of Peace, or any two of them before mentioned, to forfait for euery such default of absence or negligence, twenty shillings.

And be it also enacted, that if the said Iustices of peace doe perceiue that the Inhabitants of any Parish are not able to leuie among themselues sufficient summes of money for the purpoles aforesaid: that then the said two Iustices shall and may taxe, rate and assesse, as aforesayd, any other of other Parishes, or out of any Parish within the Hundred where the sayde Parish is, to pay such summe and summes of money to the Churchwardens and Ouerseers of the sayde poore Parish, for the said purpoles, as the said Iustices shall thinke fit, according to the intent of this Law. So the sayd Hundred shall not be thought to the said Iustices, and fit to relieue the saide rest all Parishes not able to prouide themselues as aforesaid. Then the Iustices of Peace at their generall quarter Sessions, or the greater number of them, may assesse, as aforesaid, any other of other Parishes, or Parish within the said County for the purpoles aforesaid, as in their discretion shall seeme fit.

And it shall be lawful as well for the present as subsequent Churchwardens and Ouerseers, or any of them, by warrant from any such Iustices of peace as is aforesaid, to leuie as well the said

ſaid ſummes of money and all arrerages of euery one that ſhal re-
fuſe to contribute accoꝛding as they ſhalbe aſſeſſed, by diſtreſſe and
ſale of the offendoꝛs goods, as the ſummes of money, oꝛ ſtocke
which ſhall bee behinde vpon any accompt to bee made as afoꝛe-
ſaid, rendꝛing to the parties the ouerplus, and in defect of ſuch di-
ſtreſſe, it ſhall be lawfull foꝛ any ſuch two Juſtices of the Peace,
to commit him oꝛ them to the common Gaole of the Countie,
there to remaine without bayle oꝛ mainpꝛiſe, vntill payment of
the ſayd ſumme, arrerages and ſtocke, And the ſayd Juſtices of
Peace, oꝛ any of them, to ſend to the houſe of coꝛrection oꝛ com-
mon Gaole ſuch as ſhall not employ themſelues to woꝛke, being
appointed thereunto as afoꝛeſaid: And alſo any two ſuch Juſtices
of Peace, to commit to the ſayde pꝛiſon, euery one of the ſayde
Churchwardens and Ouerſeers, which ſhall refuſe to accompt,
there to remayne without bayle oꝛ mainpꝛiſe, vntil he haue made
a true accompt, and ſatiſfied and paid ſo much as vpon the ſaid ac-
compt ſhall be remayning in his hands.

And be it further enacted, that it ſhall be lawfull foꝛ the ſayde
Churchwardens and Ouerſeers, oꝛ the greater part of them, by
the aſſent of any two Juſtices of the Peace afoꝛeſayd, to binde any
ſuch childꝛen as afoꝛeſaid, to be appꝛentices, where they ſhall be
conuenient, till ſuch man child ſhall come to the age of foure and
twentie yeeres, and ſuch woman child to the age of one and twen-
tie yeeres oꝛ the time of her marriage: The ſame to be as effec-
tuall to all purpoſes, as if ſuch child were of full age, and by In-
denture of couenane bound him oꝛ her ſelfe. And to the intent that
neceſſary places of habitation may moꝛe conueniently be pꝛoui-
ded foꝛ ſuch poore impotent people, Be it enacted by the authoꝛity
afoꝛeſaid, that it ſhall and may be lawfull foꝛ the ſaid Churchwar-
dens and Ouerſeers oꝛ the greater part of them, by the leaue of
the Lord oꝛ Lords of the Mannour, whereof any waſte, oꝛ Com-
mon within their pariſh is oꝛ ſhalbe parcell, and vpon agreement
beſoꝛe with him oꝛ them made in writing vnder the hands and
ſeales of the ſayd Lord and Lords oꝛ otherwiſe, accoꝛding to any
oꝛder to be ſet downe by the Juſtices of Peace of the ſaid Countie
at their Generall quarter Seſſions oꝛ the greater part of them,
by like leaue and agreement of the ſaid Lord oꝛ Lords, in writing
vnder his oꝛ their hands and ſeales, To erect, build and ſet vp in
fitte and conuenient places of habitation, in ſuch waſte oꝛ Com-
mon, at the generall charges of the Pariſh, oꝛ otherwiſe of the
Hundꝛed oꝛ Countie as afoꝛeſayd, to be tared, rated and gathered
in maner beſoꝛe expꝛeſſed, conuenient houſes of dwelling foꝛ the
ſaid impotent poore, and alſo to place Inmates oꝛ moꝛe families
then one in one cottage oꝛ houſe. One Acte made in the one and
thirtieth yeere of her Maieſties Reigne, intituled, An Acte a-

gainſt

gainſt the erecting and mainteining of Cottages, or any thing herein contained to the contrary notwithſtanding. Which cottages and places for Inmates ſhall not at any time after be vſed or employed to or for any other habitation, but onely for impotent and poore of the ſame Pariſh, that ſhall be there placed from time to time by the Churchwardens and Overſeers of the poore of the ſame Pariſh or the moſt part of them, vpon the paines and forfeitures contained in the layd former Act made in the layd one and fortieth yeere of her Maieſties reigne.

Prouided alwayes, that if any perſon or perſons ſhal find themſelues grieued with any Aſſeſſe or Taxe, or other Act done by the ſaid Churchwardens and other perſons, or by the layd Juſtices of Peace, that then it ſhall be lawfull for the Juſtices of Peace, at their generall quarter Seſſions, or the greater number of them, to make ſuch order therein as to them ſhall be thought conuenient, and the ſame to conclude and binde all the layd parties.

And be it further enacted, That the Father and Grandfather, and the Mother and Grandmother, and the children of euery poore, old, blinde, lame, and impotent perſon, or other poore perſon not able to worke, being of a ſufficient ability, ſhall at their owne charges relieue and maintaine euery ſuch poore perſon in that manner, and according to that rate, as by the Juſtices of peace of that County where ſuch ſufficient perſons dwell, or the greater number of them, at their generall quarter Seſſions ſhall be aſſeſſed, vpon paine that euery one of them ſhall forfeit twentie ſhillings euery moneth which they ſhall faile therein.

And be it further hereby enacted, That the Maiors, Bailifs, and other head Officers of euery Towne and place corporate, and Towne within this Realme, being Juſtice or Juſtices of Peace, ſhall haue the ſame authority by vertue of this Act, within the limits and precincts of their iuriſdictions, aſwell out of Seſſions as in their Seſſions, if they holde any, as is herein limited, prouided, and appointed to Juſtices of the Peace of the County, or two or more of them, or to the Juſtices of Peace in their quarter Seſſions, to doe and execute for all the vſes and purpoſes in this Act preſcribed, and no other Juſtice or Juſtices of Peace to haue to meddle there. And that euery Alderman of the Citie of London within his Ward, ſhall and may doe and execute in euery thing ſo much as is appointed and allowed by this Act to be done or executed by one or two Juſtices of Peace, of any County within this Realme.

And be it alſo enacted, That if it ſhall happen any Pariſh to extend into more Counties then one, or part to lie within the liberties of any Citie, Towne, or place corporate, and part without, that then aſwell the Juſtices of Peace of euery County

tie, as also the head Officers of such Citie, Towne, or place Cor-
porate, shall deale and entermeddle onely in so much of the said
Parish, as lieth within their liberties, and not any further. And
euery of them respectiuely within their seuerall Limits, Wardes,
and Jurisdictions, to execute the ordinances before mentioned
concerning the nomination of Ouerseers, the consent to binding
apprentices, the giuen warrant to leuie Taxations vnpayd, the
taking account of Churchwardens and Ouerseers, and the com-
mitting to prison such as refuse to accompt, or deny to pay the ar-
rerages due vpon their accompts.

And yet neuertheless, the sayde Churchwardens and Ouer-
seers, or the most part of them of the sayd parishes, that doe enter
into such seuerall Limits, and Jurisdictions, shall without hin-
ding themselues, duely execute their office in all places within the
sayd Parish, in all things to them belonging, and shall duely in-
hibite and make one accompt before the sayd head Officer of the
Towne or place Corporate, and one other before the said Justices
of Peace, or any such two of them, as is aforesayd.

And further be it enacted by the authoritie aforesaid, That if
in any place within this Realme there happen to be hereafter no
such nomination of Ouerseers yerely as is before appointed, that
then euery Justice of Peace of the Countie dwelling within the
diuision, where such default of Nomination shall happen, and e-
uery Maior, Alderman, and head Officer, of Citie, Towne, or
place Corporate, where such default shall happen, shall lose and
forfeit for euery such default fiue pound, to be imployed to the
the releife of the poore of the sayd parish, or place Corporate, and
to be leuied as aforesaid of their goods by warrant from the gene-
rall Sessions of the Peace of the said Countie, or of the same Ci-
tie, Towne, or place Corporate, if they keepe Sessions.

And be it also enacted by the authoritie aforesaid, that all pe-
nalties and forfeitures, before mentioned in this Act to be forfei-
ted by any person or persons, shall go and be imployed to the ble
the poore of the same parish, and towards a Stocke and habitat
on for them, and other necessary vses & releife as before in this A
are mentioned and expressed, and shalbe leuied by the said Chur
wardens and ouerseers or one of them by warrant from any
such Justices of Peace, or Maior, Alderman, or head officer of C
tie, towne, or place corporate, respectiuely within their seuerall
mits by distresse and sale thereof, as aforesayde, or in defect the
of, it shalbe lawfull for any two such Justices of Peace, s the
Aldermen & head officers within their seuerall limits, to com
the offender to the sayd prison, there to remaine without bayle
mainepryse, till the sayd forfeitures shalbe satisfied and payed.

And be it further enacted by the authoritie aforesayd, that
Justi

[illegible]stices of Peace of euery Countie or place corporate, or the more [illegible] them in their generall Sessions to bee holden next after [illegible] of Easter next, and so yeerely as often as they shall thinke [illegible], shall rate euery parish to such a weekely summe of money [illegible] shall thinke conuenient, so as no parish be rated aboue the [illegible] of fiue pence, nor vnder the summe of a halfepenie, [illegible] to be payed, and so as the totall summe of such taxation of [illegible] in euery Countie, amount not aboue the rate of two [illegible] euery parish within the sayd Countie. Which summes [illegible], shall be yerely assessed by the agreement of the Parishio[illegible] within themselues, or in default thereof, by the Church war[illegible] and pettie Constables of the same Parish, or the more part [illegible], or in default of their agreement, by the order of such Ju[illegible] Justices of Peace, as shall dwell in the same Parish, or (if [illegible] there dwelling) in the parts next adioyning. And if any [illegible] shall refuse or neglect to pay any such portion of money so [illegible], it shall be lawfull for the sayd Church wardens and Consta[illegible], or any of them, or in their default for any Justice of Peace [illegible] sayd limit, to leuie the same by distresse, and sale of the [illegible] of the partie so refusing or neglecting, rendring to the partie [illegible]plus, and in default of such distresse, it shall be lawfull to [illegible] of that limit, to commit such person to the said prison, [illegible] to abide without baile or maineprise, till he haue payed the [illegible]

[illegible] bee it also enacted, that the sayd Justices of the Peace at [illegible] generall quarter Sessions to bee holden at the time of such [illegible], shall set downe what competent summes of money shall [illegible] quarterly out of euery Countie or place corporate, for the [illegible] of the Poore prisoners of the Kings Bench, and Marshal[illegible] of such Hospitals, and almes houses, as shall be in the [illegible], and what summes of money shalbe sent to euery one [illegible] Hospitals and almes houses, so as there bee sent out of [illegible] yerely twenty shillings at the least to each of the [illegible] of the Kings Bench, and Marshalsey, which summes [illegible] to be assessed vpon euery parish, the Church wardens of e[illegible] shall truely collect and pay ouer to the high Constables [illegible] division such parish shall be situate, from time to time, [illegible] ten dayes before the ende of euery quarter, and euery [illegible] at euery such quarter Sessions in such Countie, [illegible] ouer the same to such two Treasurers, or to one of them. [illegible] the more part of the Justices of Peace of the Countie, [illegible] to be the sayd Treasurers, to be chosen by the Justices [illegible] of the sayd Countie, Citie, or Towne, or place corporate, [illegible] others which were sessed and taxed at fiue pound landes, or [illegible] goods, at the least, at the taxe of Subsidie next be-

foꝛe the time of the ſayd election to be made. And the ſayd Co
ſurers ſo elected, to continue foꝛ the ſpace of one whole yeere i
their office, and then to giue vp their charge with a due accoun
of their receipts and diſburſements, at the quarter Seſſions
be holden next after the feaſt of Eaſter in euery yeere, to ſuch othe
as ſhall from yeere to yeere in foꝛme afoꝛeſayd ſucceſſiuely
elected Treaſurers foꝛ the ſayd Countie, Citie, Towne, oꝛ pla
coꝛpoꝛate, which ſayd Treaſurers, oꝛ one of them ſhall pay ou
the ſame to the Loꝛd Chiefe Juſtice of England, & Knight
ſhall foꝛ the time being, equally to be deuided to the vſe afoꝛeſayd
taking their acquittance foꝛ the ſame, oꝛ in default of the ſay
Chiefe Juſtice, to the next ancienteſt Juſtice of the Kings Be
as afoꝛeſaid. And if any Churchwarden oꝛ high Conſtable, oꝛ h
executoꝛs, oꝛ adminiſtratoꝛs, ſhall faile to make payment in fo
aboue ſpecified, then euery Churchwarden, his executoꝛs oꝛ a
miniſtratoꝛs, ſo offending, ſhall foꝛfeit foꝛ euery time, the ſum
of ten ſhillings, and euery high Conſtable, his executoꝛs oꝛ ad
miniſtratoꝛs, ſhall foꝛfeit foꝛ euery time, the ſumme of twenty
lings, the ſame foꝛfeitures together with the ſummes behinde,
be leuied by the ſayd Treaſurer and Treaſurers, by way of
ſtreſſe, and ſale of the goods as afoꝛeſayd, in foꝛme afoꝛeſayd, a
by them to be employed towards the charitable vſes compriſe
this Acte.

And bee it further enacted, that all the ſurpluſage of mo
which ſhalbe remainting in the ſayd Stocke, of any Countie,
by diſcretion of the moꝛe part of the Juſtices of Peace in
quarter Seſſions, be oꝛdered, diſtributed and beſtowed foꝛ the
lieſe of the pooꝛe Hoſpitals of that Countie, and of thoſe that
ſuſtaine loſſes by fire, water, the Sea, oꝛ other caſualties,
ſuch other charitable purpoſes, foꝛ the reliefe of the pooꝛe, as t
moꝛe part of the ſayd Juſtices of peace ſhall ſeeme conuenient.

And be it further enacted, that if any Treaſurer elected,
wilfully refuſe to take vpon him the ſayd office of Treaſurer
oꝛ refuſe to diſtribute and giue reliefe, oꝛ to account accoꝛdi
ſuch foꝛme as ſhalbe appointed by the moꝛe part of the ſayd
ces of Peace, That then it ſhalbe lawfull foꝛ the Juſtices of
in their quarter Seſſions, oꝛ in their default, foꝛ the Juſti
Aſſiſe, at the Aſſiſes to be holden in the ſame Countie, to fine
ſame Treaſurer by their diſcretion: the ſame fine not to be
three pound, and to be leuied by ſale of his goods, and to be
cuted by any two of the ſayd Juſtices of Peace, whom they
authoꝛize.

Pꝛouided alwayes, that this Act ſhall not take effect bu
Feaſt of Eaſter next.

And be it enacted, that the Statute made in the nine and

tieth yeere of her Maieſties reigne, intituled, An act for the reliefe of the poore, ſhall continue and ſtand in force vntill the Feaſt of Eaſter next. And that all Taxations heretofore impoſed and not payed, nor that ſhall be payed before the ſayd Feaſt of Eaſter next. And that all Taxes hereafter before the ſayd Feaſt, to be taxed by vertue of the ſayd former Acte, which ſhall not be payed before the ſayd Feaſt of Eaſter, ſhall and may after the ſayd Feaſt of Eaſter, be leuied by the Ouerſeers and other perſons in this Acte reſpectiuely appointed to leuie taxations by diſtreſſe, and by ſuch warrant in euery reſpect, as if they had bene taxed and impoſed by vertue of this Acte, and were not payed.

Prouided alwayes, that whereas the Iland of Fowleneſs in the Countie of Eſſex, being inuironed with the Sea, and hauing a Chappell of eaſe for the Inhabitants thereof, and yet the ſaid Iland is no Pariſh, but the Lands in the ſame are ſituated within diuers Pariſhes, farre diſtant from the ſayde Iland, Bee it therefore enacted by the authoritie aforeſayd, that the ſaid Iuſtices of Peace ſhall nominate and appoint inhabitants within the ſayd Iland to bee Ouerſeers for the poore people dwelling within the ſayd Iland, and that both they the ſayd Iuſtices, and the ſayd Ouerſeers ſhall haue the ſame power and authoritie to all intents, conſiderations and purpoſes, for the execution of the parts and articles of this Acte, and ſhall be ſubiect to the ſame pains and forfeitures, and likewiſe that the inhabitants, and occupiers of lands there, ſhalbe liable and chargeable to the ſame paiments, charges, expences, and orders, in ſuch maner and forme as if the ſame Iland were a Pariſh. In conſideration whereof, neither the ſaid Inhabitants, or occupiers of Land within the ſayd Iland ſhall not be compelled to contribute towards the reliefe of the poore of thoſe Pariſhes, wherein their houſes or lands which they occupie within the ſayd Iland are ſituated, for or by reaſon of their ſayd habitations or occuppyings, other then for the reliefe of the poore people within the ſayd Iland, neither yet ſhall the other inhabitants of the Pariſhes wherin ſuch houſes or lands are ſituated, be compelled by reaſon of their reſiancie or dwelling, to contribute to the reliefe of the poore Inhabitants within the ſayd Iland.

And be it further enacted, that if any Action of Treſpaſſe, or other ſuite ſhall happen to be attempted and brought againſt any perſon or perſons for taking of any diſtreſſe, making of any ſale, or any other thing doing, by authoritie of this preſent Act: The defendant or defendants in any ſuch action or ſuit, ſhall and may either plead not guiltie, or otherwiſe make Auowrie, Cognizance, or Juſtification, for the taking of the ſayd diſtreſſes, making of

ſale,

fore the time of the sayd election to be made. And the sayd Co
surers so elected, to continue for the space of one whole yere
their office, and then to giue vp their charge with a due acco
of their receipts and disbursements, at the quarter Sessions
be holden next after the feast of Easter in euery yere, to such oth
as shall from yeere to yeere in forme aforesayd succesiuely
elected Treasurers for the sayd Countie, Citie, Towne, or pl
corporate, which sayd Treasurers, or one of them shall pay
the same to the Lord Chiefe Justice of England, & Knight
shall for the time being, equally to be deuided to the vse afores
taking their acquittance for the same, or in default of the
Chiefe Justice, to the next ancientest Justice of the Kings Be
as aforesaid. And if any Churchwarden or high Constable, or
executors, or administrators, shall faile to make payment in
aboue specified, then euery Churchwarden, his executors or
ministrators, so offending, shall forfeit for euery time, the sum
of ten shillings, and euery high Constable, his executors or ad
nistrators, shall forfeit for euery time, the summe of twenty
lings, the same forfeitures together with the summes behinde,
be leuied by the sayd Treasurer and Treasurers, by way of
stresse, and sale of the goods as aforesayd, in forme aforesayd,
by them to be employed towards the charitable vses compris
this Acte.

And bee it further enacted, that all the surplusage of mo
which shalbe remaining in the sayd Stocke, of any Countie,
by discretion of the more part of the Justices of Peace in t
quarter Sessions, be ordered, distributed and bestowed for the
liefe of the poore Hospitals of that Countie, and of those that
sustaine losses by fire, water, the Sea, or other casualties, a
such other charitable purposes, for the reliefe of the poore, as t
more part of the sayd Justices of peace shall seeme conuenient.

And be it further enacted, that if any Treasurer elected,
wilfully refuse to take vpon him the sayd office of Treasurer
or refuse to distribute and giue reliefe, or to account accordi
such forme as shalbe appointed by the more part of the sayd
ces of Peace, That then it shalbe lawfull for the Justices of
in their quarter Sessions, or in their default, for the Justi
Assise, at the Assises to be holden in the same Countie, to fi
same Treasurer by their discretion: the same fine not to be
three pound, and to be leuied by sale of his goods, and to be
cuted by any two of the sayd Justices of Peace, whom they
authorize.

Prouided alwayes, that this Act shall not take effect until
Feast of Easter next.

And be it enacted, that the Statute made in the nine and

tieth yeere of her Maiesties reigne, intituled, An act for the relefe of the poore, shall continue and stand in force vntill the feast of Easter next, And that all Taxations heretofore imposed and not payed, nor that shall be payed before the sayd Feast of Easter next, And that all Taxes hereafter before the sayd Feast, to be taxed by vertue of the sayd former Acte, which shall not be payed before the sayd Feast of Easter, shall and may after the sayd Feast of Easter, be leuied by the Ouerseers and other persons in this Acte respectiuely appointed to leuie taxations by distresse, and by such warrant in euery respect, as if they had bene taxed and imposed by vertue of this Acte, and were not payed.

Prouided alwayes, that whereas the Iland of Fowlenes in the Countie of Esser, being inuironed with the Sea, and hauing a Chappell of ease for the Inhabitants thereof, and yet the said Iland is no Parish, but the Lands in the same are situated within diuers Parishes, farre distant from the sayde Iland, Bee it therefore enacted by the authoritie aforesayd, that the said Iustices of Peace shall nominate and appoint inhabitants within the sayd Iland to bee Ouerseers for the poore people dwelling within the sayd Iland, and that both they the sayd Iustices, and the sayd Ouerseers shall haue the same power and authoritie to all intents, considerations and purposes, for the execution of the parts and articles of this Acte, and shall be subiect to the same paines and forfeitures, and likewise that the inhabitants, and occupiers of lands there, shalbe liable and chargeable to the same paiments, charges, expences, and orders, in such maner and forme as if the same Iland were a Parish. In consideration whereof, neither the said Inhabitants, or occupiers of Land within the sayd Iland shall not be compelled to contribute towards the releefe of the poore of those Parishes, wherein their houses or lands which they occupie within the sayd Iland are situated, for or by reason of their sayd habitations or occuppyings, other then for the releefe of the poore people within the sayd Iland, neither yet shall the other inhabitants of the Parishes wherin such houses or lands are situated, be compelled by reason of their reliancie or dwelling, to contribute to the releefe of the poore Inhabitants within the sayd Iland.

And be it further enacted, that if any Action of Trespasse, or other suite shall happen to be attempted and brought against any person or persons for taking of any distresse, making of any sale, or any other thing doing, by authoritie of this present Act: The defendant or defendants in any such action or suit, shall and may either plead not guiltie, or otherwise make Auowrie, Cognisance, or Justification, for the taking of the sayd distresses, making of sale,

sale, or other thing doing, by vertue of this Acte, alleaging in such Auowry, Cognisance, or Justification, That the said distresse, sale, trespasse, or other thing whereof the Plaintife or Plaintifs complained was done by authoritie of this Acte, and according to the tenor, purport, and effect of this Act, without any expressing or rehearsal of any other matter of circumstance contained in this present Acte. To which Auowrie, Cognisance, or Justification, the Plaintife shall be admitted to replie, that the Defendant did take the sayd distresse, made the sayd sale, or did any other acte or trespasse, supposed in his declaration of his owne wrong, without any such cause alleaged by the sayd Defendant, whereupon the issue in every such action shall be ioyned, to be tried by verdict of twelue men, and not otherwise, accustomed in other personall actions. And vpon the triall of that issue, the whole matter to be giuen vn both parties in euidence, according to the very trueth of the same. And after such issue tried, for the Defendant, or nonsuit of the Plaintife, after appearance, the same Defendant to recouer treble damages, by reason of his wrongfull veration in that behalfe, with costs also in that part sustained, and that to be assessed by the same Jurie, or Writ to enquire of the damages, as the same shall require. Prouided alwayes that this Act shall endure no longer then to the ende of the next Session of Parliament.

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¶ An acte for the necessary reliefe of Souldiers and Mariners.

The iij. Chapter.

WHereas in the fiue and thirtieth yeere of the Queenes Maiesties reigne that now is, an Act was made, intituled, An Act for the necessary reliefe of Souldiers and Mariners, And whereas in the nine & thirtieth yeere of her Maiesties reigne, there was also made another Act, intituled, An Act for the further continuance and explanation of the said former: Be it enacted by authority of this present Parliament, that both the sayd Acts shall be and continue in force vntill the feast of Easter next, and halfe from and after the said feast discontinued. And forasmuch as it is now found more needfull then it was at the making of the sayd Acts, to prouide reliefe and maintenance to Souldiers and Mariners, that haue lost their limmes and disabled their bodies in the defence and seruice of her Maiestie and the State, in respect the number of the said Souldiers is so much the greater, by how much her Maiesties iust and honourable defensiue warrs are increased: To the end therefore, that they the sayd Souldiers and Mariners may reape the fruits of their good deseruings, and others may be incouraged to performe the like endeuours:

Be it enacted by authoritie of this present Parliament, that from and after the sayd feast of Easter next, euery Parish within this Realme of England, and Wales, shall be charged to pay weekely, such a summe of money, towards the reliefe of sicke, hurt, and maimed Souldiers and Mariners, that so haue beene as afore is sayd, or shall lose their limmes, or disable their bodies, hauing bene prest, and in pay, for her Maiesties seruice, as by the Iustices of Peace, or the more part of them, in their generall quarter Sessions, to be holden in their seuerall Counties, next after

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the feaſt of Eaſter next, and ſo from time to time at the like quarter Seſſions, to be holden next after the feaſt of Eaſter, yeerely ſhall be appointed, ſo as no Pariſh be rated aboue the ſumme of tenne pence, nor vnder the ſumme of two pence, weekely to be payd, and ſo as the totall ſumme of ſuch taration of the Pariſhes, in any County where there ſhall be aboue fifty Pariſhes, doe not exceed the rate of fiue pence for euery Pariſh in the ſame Countie, which ſummes ſo tared, ſhall be yerely aſſeſſed by the agreements of the Pariſhioners within themſelues, or in default thereof, by the Churchwardens and the pety Conſtables of the ſame Pariſh, or the more part of them, or in default of their agreement, by the order of ſuch Juſtices, or Juſtice of Peace, as ſhall dwell in the ſame Pariſh, or if none be there dwelling, in the parts next adioyning. And if any perſon ſhall refuſe or neglect to pay any ſuch portion of money ſo tared, it ſhall be lawfull for the ſayd Churchwardens and pety Conſtables, and euery of them, or in their defaults, for the ſayd Juſtices of Peace, or Juſtice, to leuy ſuch ſumme by diſtreſſe, and ſale of the goods or chattels of the party ſo refuſing or neglecting, rendring to the party the ouerplus raiſed vpon ſuch ſale.

And for the collecting and cuſtody of the ſummes tared in forme aforeſayd, Be it enacted, that the Churchwardens, and pety Conſtables of euery Pariſh, ſhall truely collect euery ſuch ſumme, and the ſame ſhall pay ouer vnto the high Conſtable, in whoſe diuiſion ſuch Pariſh ſhall be ſituate, tenne dayes before the quarter Seſſions, to be holden next before, or about the feaſt of the Natiuity of Saint Iohn Baptiſt next, in the Countie where the ſayd Pariſh ſhall be ſituate, and ſo from time to time, quarterly within tenne dayes before euery quarter Seſſions. And that euery ſuch high Conſtable, at euery ſuch quarter Seſſions in ſuch County, ſhall pay ouer the ſame, to two ſuch Juſtices of Peace, or to one of them, or to two ſuch other perſons, or one of them, as ſhal be by the more part of the Juſtices of Peace of the ſame Countie elected, to be Treaſurers of the ſayd Collection, The ſame other perſons, to be elected Treaſurers, to be ſuch, as at the laſt taration of the Subſidie next before the ſame election, ſhall be valued, and ſeſſed at tenne pounds in lands yeerely, or at fifteene pounds in goods: which Treaſurers in euery County ſo choſen, ſhall continue but for the ſpace of one whole yeere, and then giue vp their charge, with a due account of their receits and diſburſements, at their meeting in Eaſter quarter Seſſions, or within tenne dayes after, to ſuch others, as ſhall from yeere to yeere in the forme aforeſayd, ſucceſſiuely be elected. And if any Churchwarden, peſte Conſtable, or high Conſtable, or his executors, or adminiſtrators, ſhall faile to make payment in forme aboue ſpecified, Then euery

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Churchwarden, and petie Constable, his executors, or administrators so offending, shall forfeit the summe of twentie shillings, And euery high Constable, his executors, or administrators, the summe of fortie shillings, to be leuied by the Treasurers aforesayd, by distresse and sale in maner before expressed, and to bee taken by the said Treasurers, in augmentation of their stock, to the vses aforesaid. And if any Treasurer, his executors or administrators, shall faile to giue vp his account within the time aforesaid, or shall be otherwise negligent in the execution of his charge, then it shall be lawfull for the more part of the Justices of Peace, of the same Countie in their Sessions, to assesse such fine vpon such Treasurer, his executors or administrators, as in their discretion shall seeme conuenient, so it be not vnder the summe of fiue pounds.

And for the true and iust distribution and imployment of the sums so receiued, according to the true meaning of this Acte, Bee it enacted by the authoritie aforesayd, that euery Souldier or Mariner, hauing had his or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties pay, as aboue is mentioned, or such as shall hereafter returne into this Realme, hurt or maimed, or grieuously sicke, shall repayre, if he bee able to trauell and make his complaint to the Treasurers of the Countie, out of which he was pressed, or if he were no prest man, to the Treasurers of the Countie where he was borne, or last inhabited, by the space of three yeeres, at his election. And if he be not able to trauell, to the Treasurers of the County where he shall land, or arriue, and shall bring a Certificat vnto any of the Treasurers aforesaid, vnder the hand and seale of the Generall of the Campe, or Gouernour of the Towne wherein hee serued, And of the Captaine of the Band, vnder whom hee serued: or his Lieutenant, or in the absence of the sayd Generall or Gouernour, from the Marshall or Deputie of the Gouernour, or from any Admirall of her Maiesties Fleete, or in his absence, from any other Generall of her Maiesties ships at the Seas, or in absence of such Generall, from the Captaine of the shippe wherein the sayd Mariners or Souldiers did serue the Queenes Maiestie, containing the particulars by his hurts and seruices, which Certificat shall be also allowed of the generall Muster Master, for the time being, resident here within this Realme, or Receiuer generall of the Muster rolles. The Treasurer, and Controller of her Maiesties Nauie, vnder his hand, for the auoyding of all fraud, and counterfetting: Then vpon such Certificate, such Treasurers as are before expressed, shall according to the nature of his hurt, & commendation of his seruice, assigne vnto him such a portion of relefe, as in their discretions shall seeme conuenient for his present necessity, vntill the next Quarter Sessions, at the which it shalbe lawfull for the

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more part of the Iustices of Peace vnder their hands, to make an Instrument of grant of the same, or like relieſe, to endure, as long as this Acte shall stand or indure in force, if the same Souldier or Mariner shall so long liue, and the same pension not be duely reuoked or altered, which shall be a sufficient warrant to all Treasorers for the same Countie, to make payment of such pension vnto such persons quarterly, except the same shalbe afterward by the saide Iustices reuoked or altered. So that such relieſe as shall be assigned by such Treasorers or Iustices of Peace to any such Souldier or Mariner, hauing not borne office in the sayde warres, exceede not the summe in grosse nor yeerely pension of ten pounds. Nor to any that hath borne office vnder the degree of a Lieutenant, the summe of fifteene pounds. Nor to any that hath serued in the office of Lieutenant, the summe of twentie pounds. And yet neuertheleſſe, it shall and may be lawfull to and for the Iustices of peace and others, hauing authority by this Act to assigne pensions to Souldiers and Mariners, vpon any iust cause, to reuoke, diminish or alter the same from time to time, according to their discretions in the generall quarter Sessions of the peace, or generall assemblies for Cities or Townes corporate, where the same pension shall be granted.

And whereas it must needs fall out, that many of such hurt and maimed Souldiers, and Mariners, doe arriue in Ports, and places farre remote from the Counties, whence they are by vertue of this Acte, to receiue their yeerely Annuities, and pensions, As also they are prescribed by this Act, to obtaine the allowance of their Certificates from the Muster master, or Receiuer Generall of the Muster rolles, who commonly is like to abide about the Court or London, so as they shall neede at the first, prouision for the bearing of their charges, to such places:

Be it therefore enacted, that it may be lawfull for the Treasurers of the Countie where they shall arriue, in their discretion vpon their Certificate (though not allowed) to giue them any conuenient relieſe for their iourney, to carry them to the next Countie, with a Testimoniall of their allowance, to passe on towards such a place. And in like maner shall it be lawfull for the Treasurer of the next Countie, to doe the like, And so from Countie to Countie (in the direct way) till they come to the place where they are directed to find their maintenance, according to the tenure of this Statute.

And for the better execution of this Acte in all the branches thereof, Be it enacted that euery the Treasurers, in their seuerall Counties, shall keepe a true booke of computation, of all such summes as they leuie, and also a Register of the names of euery such person vnto whom they shall haue disbursed any relieſe,

And

And shall also preserue, or enter euery Certificate, by warrant whereof, such reliefe hath bene by them disburſed, And also that the Muſter Maſter, or Receiuer generall of the Muſter rolles, shall keepe a booke, wherein shall be entred the names of all such, whose certificates shalbe by him allowed, with an abstract of their certificates, And that euery Treasurer returning, or not accepting the Certificate brought vnto him from the said Muſter maſter, shall write and subscribe the cause of his not accepting, or not allowing thereof, vnder the saide Certificate, or on the backe thereof.

And be it further enacted, that if any Treasurer shall wilfully refuse to distribute and giue any relieſe, according to the forme of this Acte, That it shall be lawfull for the Justices of Peace, in their Quarter Sessions, to fine such Treasurers, by their discretions, as aforesayde. The same Fine to be leuied by distresse and sale thereof, to be prosecuted by any two of them, whom they shall authorize.

And be it also enacted, that euery Souldier or Mariner that shall bee taken begging in any place within this Realme, after the feast of Easter next, Or any that shall counterfeit any Certificate in this Acte expreſſed, shall for euer loſe his Annuitie or pension, and shall bee taken, deemed and adiudged, as a common Rogue, or Vacabond person, and shall haue, and suſtaine the same, and the like paynes, imprisonment and punishment, as is appointed and prouided for common Rogues and Vacabond persons.

Prouided alwayes and be it enacted, that all the Surpluſage of money which shal be remaining in the Stocke of any Countie, shall by the discretion of the more part of the Justices of peace, in their Quarter Sessions be ordered, distributed and bestowed by in such good and charitable vses, and in such forme as are limited and appointed in the Statutes made and now in force, concerning relieſe of the poore, and punishment of Rogues & Beggers.

Prouided alwayes that the Justices of Peace, within any Countie of this Realme or Wales, shall not intromit or enter in any Citie, Borough, Place or Towne corporate, where is any Justice of peace for any such Citie, Borough, Place or Towne corporate, for the execution of any article of this Act: But that it shal be lawfull to the Justice & Justices of peace, Maiors, Bailifs, and other head Officers of those Cities, boroughs, places and townes corporate, where there is any Justice of peace, to proceed to the execution of this Act, within the precinct & compaſſe of their liberties, in such maner as the Justices of peace in any Countie may doe, by vertue of this Acte. And that euery Justice of peace within euery such Citie, Borough, Place or Towne corporate, for euery

ry offence by him committed, contrary to the meaning of this Statute, shall be fineable, as other Justices of peace at the large in the Counties are in this Act appointed to be. And that the Maior and Justices of peace in euery such Citie, Borough, Place and Towne corporate, shall haue authority by this present Act to appoint any person, for the receiuing of the sayd money, and paying the same, within such City, Borough, Place or Towne corporate, which person so appointed, shal haue authority to do all such things, and be subiect to all such penalties, as high Constables, by vertue of this Act should haue or be.

And be it enacted, That all forfeitures to be forfeited by any Treasurer, Collector, Constable, Churchwarden, or other person, for any cause mentioned in this Act, shalbe imployed to the relief of such Souldiers and Mariners, as are by this Act appointed to take and haue reliefe, and after that reliefe satisfied, then the ouerplus thereof, with the ouerplus of the stocke, remaining in any the sayd Treasurers hands, shall be imployed as is before mentioned, to the charitable vses expressed in the sayd Statutes, concerning the reliefe of poore, and for punishment of Rogues and Beggers, (except the said Justices, or the more part of them, shal think meet to reserue and keepe the same in stocke for the maintenance and reliefe of such Souldiers and Mariners as out of the same Countie may afterward be appointed, to receiue reliefe and pensions.) And that the reliefe appointed to be giuen by this Act, shall bee giuen to Souldiers and Mariners, out of the Countie or place where they were pressed, so farrefoorth as the Taration limited by this Act, will extend. And if the whole Taration there, shall be before imployed, according to the meaning of this Act, or that they shall not be prest men, then out of the place where they were borne, or last inhabited by the space of three yeeres, at his or their election.

Prouided alwayes, and be it enacted, That euery pension assigned heretofore to any Souldier or Mariner, or that shall be assigned before the sayd feast of Easter next, notwithstanding the discontinuance of the sayd two former Actes, shall stand in force, and shall yeerely from and after the sayd feast of Easter next be satisfied and payed out of such Taxations and forfeitures, as shall be made, collected, and leuied by force of this Act, so long as the said pension shall remaine in force, without such reuocation, or diminishing, as is before in this Act mentioned. which clause of reuocation or diminishing before mentioned, shall extend as well to pensions heretofore assigned, as to such as at any time hereafter, before, or after the sayd feast of Easter, shall be assigned to any person or persons.

And

And be it also enacted, that all arrerages of Tarations heretofore made, by vertue of the sayde former Statutes, or any of them, which shalbe or remaine, at the saide feast of Easter next, uncollected, and not receiued, or leuied, shall and may by authoritie of this Acte, bee had, receiued, and leuied, by such persons, and in such maner and forme, as in euery respect, Tarations made by vertue of this Acte, are appointed to be collected, receiued and leuied, and shall be imployed to the vses expressed in this Acte, and no otherwise.

Prouided alwayes, and bee it enacted by the authoritie aforesayd, that if the saide rate shall be thought not to bee sufficient, for the releefe of such Souldiers, and Mariners, as shall be to be relieued within the Citie of London, That then it shall be lawfull for the Maior, Recorder, and Aldermen of London, or the more part of them, to rate and tare, such reasonable tare, summe and summes of money, for the said releefe, as shall be to them thought fit and conuenient. So as such summe and summes of money, so to be rated, do not exceed three shillings weekely out of any parish, And so as in the totall, the summe shall not exceed, or be vnder twelue pence weekely out of euery parish, one with another, within the said Citie and the liberties thereof. This Acte to indure to the ende of the next Session of Parliament, and no longer.

An act to redresse the misimploiment of Lands, Goods, and Stocks of money heretofore giuen to charitable vses.

The iiij. Chapter.

Heras Lands, Tenemẽts, Rents, Annuities, profits, hereditamẽts, Goods, Chattels, money & stocks of money, haue bin heretofore giuen, limited, appointed & assigned, as well by the Queenes most excellent Maiestie & her most noble Progenitors, as by sundry other wel disposed persons, some for releefe of aged, impotent & poore people, some for maintenance of lame and maymed Souldiers & Mariners, Schooles of learning, free Schooles, & Shollers in Vniuersities, some for repaire of Bridges, Ports, Hauens, Cauſeways, Churches, Seabanks, and high waies, some for education & preferment of Orphans, some for or towards releefe, Stocke or maintenance for houses of correction, some for Marriages of poore mayds, some for supportation, ayde, & help of young trades men, handy crafts men, & persons decayed, and others for releefe or redemption of prisoners or captiues, and for ayde or ease of any poore inhabitants, concerning payment of Fifteenes, setting out of Souldiers, & other taxes, which Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, money, and Stocks of money, neuertheleſſe haue not bin imployed according to the charitable intent of the giuers and founders thereof, by reason of frauds, breaches of trust, and negligence in those that should pay, deliuer and imploy the same: for redreſſe and remedy whereof, Be it enacted by authoritie of this present Parliament, that it shal and may be lawful to and for the Lord Chauncellor, or Keeper of the great Seale of England for the time being, and for the Chauncellor of the Dutchie of Lancaſter for the time being, for lands within the Countie Palatine of Lancaſter, from time to time, to award Commissions vnder the great

great Seale of England, or the Seale of the County Palatine, as the case shall require, into all or any part or parts of this Realme, respectiuely according to their seueral Iurisdictions as aforesayd, to the Bishop of euery seuerall Diocesse and his Chancellour, in case there shalbe any Bishop of that Diocesse, at the time of awarding of the same Commissions, and to other persons of good and sound behauiour, authorizing them thereby, or any foure or more of them, to enquire aswell by the oathes of twelue lawfull men or more of the Countie, as by all other good and lawfull wayes and meanes, of all and singuler such gifts, limitations, assignments, and appointments aforesaid, and of the abuses, breaches of trusts, negligences, misimployments, not imploying, concealing, defrauding, misconuerting, or misgouernement of any Landes, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money, or stocks of money, heretofore giuen, limited, appointed, or assigned, or which hereafter shalbe giuen, limited, appointed, or assigned, to or for any the charitable and godly vses before rehearsed, And after, the sayd Commissioners, or any foure or more of them, vpon calling the parties interessed in any such Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, money, and stocks of money, shall make enquiry by the othes of twelue men or more of the sayd County, whereunto the said parties interessed shall and may haue, and take their lawfull challenge and challenges, and vpon such inquiry, hearing and examining therof, set downe such orders, iudgements, and decrees, as the sayd Lands, Tenements, Rents, Annuities, Profits, Goods, Chattels, money & stocks of money, may be duely & faithfully imployed, to and for such of the charitable vses and intents before rehearsed, respectiuely for which they were giuen, limited, assigned, or appointed, by the donors and founders thereof. Which orders, iudgements, & decrees, not being contrary or repugnant to the orders, statutes, or decrees of the donours or founders, shall by the authority of this present Parliament, stand firme & good, according to the tenour and purport thereof, and shall be executed accordingly, vntill the same shall be vndone or altered by the Lord Chancellour of England, or Lord Keeper of the great Seale of England, or the Chancellor of the County Palatine of Lancaster, respectiuely within their seuerall Iurisdictions, vpon complaint by any party grieued to be made to them.

Prouided alwayes, that neither this Act, nor any thing therein contained, shall in any wise extend to any Lands, Tenements, Rents, Annuities, Profits, Goods, Chattels, money or stocks of money giuen, limited, appointed or assigned, or which shalbe giuē, limited, appointed, or assigned, to any college, hall or house of learning within the Vniuersities of Oxford or Cambridge, or to the

Colledges of Westminster, Eaton, or Winchester, or any of them, or to any Cathedrall or Collegiate Church within this Realme. And prouided also, that neither this Acte, nor any thing therin, shal extend to any Citie, or Towne corporate, or to any the Lands, or Tenements giuen to the vses aforesayd, within any such Citie, or Towne corporate, where there is a special gouernour or gouernours, appointed to gouerne or direct such Lands, Tenements, or things disposed to any the vses aforesayd, neither to any Colledge, Hospitall, or free Schoole, which haue speciall visitors, or gouernours, or ouerseers, appointed them by their Founders.

Prouided also, and be it enacted by the authority aforesayd, that neither this Act, nor any thing therein contained, shalbe any way preiudiciall or hurtfull to the Jurisdiction of the Ordinary, or power of the Ordinary, but that he may lawfully in euery cause execute and performe the same, as though this Acte had neuer ben had or made.

Prouided also, and be it enacted, that no person or persons that hath or shall haue any the sayd Landes, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money or stockes of money in his hands or possession, or doeth or shall pretend title thereunto, shall bee named a Commissioner or a Jurat for any the causes aforesayd, or being named, shall execute or bee in the same.

And prouided also, that no person or persons which hath purchased or obteined, or shall purchase or obteine vpon valuable consideration of money or Land, any estate or interest of, in, to, or out of any lands, tenements, rents, annuities, hereditaments, goods or chattels that haue bene, or shall be giuen, limitted or appointed to any the charitable vses aboue mentioned, without fraude or couin, hauing no notice of the same charitable vse, shall not be impeached by any Decrees or Orders of Commissioners aboue mentioned, for or concerning the same his estate or interest. And yet neuertheless, Be it enacted that the sayd Commissioners, or any foure or more of them, shall and may make Decrees and Orders for recompense to be made by any person or persons, who being put in trust, or hauing notice of the charitable vses aboue mentioned, hath or shall breake the same trust, or defraude the same vses by any conueyance, gift, grant, lease demise, release, or conuersion whatsoeuer, and against the Heires, Executors, and Administrators of him, them, or any of them, hauing Assettes in law or equitie, so farre as the same Assettes will extend.

Prouided alwayes, that this Act shall not extend to giue power or authoritie to any Commissioners before mentioned, to make any Orders, Judgements or Decrees for or concerning any Manors, lands, tenements, or other hereditaments, assured, conueyed,

ed, granted or come vnto the Queenes Maiestie, to the late King Henrie the eight, King Edward the first, or Queene Marie, by Act of Parliament, surrender, exchange, relinquishment, escheate, attainder, conueyance or otherwise. And yet neuertheless, Bee it enacted, that if any such Manors, Lands, Tenements, or Hereditaments, or any of them, or any estate, rent or profit thereof, or out of the same, or any part thereof, haue or hath bene giuen granted, limitted, appointed or assigned to or for any the charitable vses before expressed at any time sithence the beginning of her Maiesties reigne: That then the sayd Commissioners, or any foure or more of them, shall and may as concerning the same lands, tenements, hereditaments, estate, rent or profit so giuen, limitted, appointed or assigned, proceede to enquire, and to make Orders, Judgements and Decrees according to the purport and meaning of this Act as before is mentioned: the sayd last mentioned Prouiso notwithstanding.

And be it further enacted, that all Orders, Judgements and Decrees of the sayd Commissioners, or of any foure or more of them, shall be certified vnder the Seales of the sayd Commissioners, or any foure or more of them, either into the Court of the Chancery of England, or into the Court of the Chancerie within the Countie Palatine of Lancaster, as the case shal require respectiuely, according to their seuerall Iurisdictions, within such conuenient time as shall bee limitted in the sayd Commissions. And that the said Lord Chancelor, or Lord Keeper, and the said Chancellor of the Duchie, shal and may within their said seueral Iurisdictions take such order for the due execution of all or any of the said Iudgements, Decrees and Orders, as to either of them shall seeme fit and conuenient. And that if after any such certificate or certificates made, any person or persons shal find themselues grieued with any of the sayd Orders, Judgements or Decrees: That then it shall and may be lawfull to and for them, or any of them to complaine in that behalfe vnto the sayd Lord Chancellor, or Lord Keeper, or to the Chancellor of the sayd Duchie of Lancaster, according to their seuerall Iurisdictions, for redresse therein. And that vpon such complaint, the sayd Lord Chancellor, or Lord Keeper, or the sayd Chancellor of the Duchie, may according to their said seuerall Iurisdictions, by such course as to their wisedomes shall seeme meetest, the circumstances of the case considered, proceede to the examination, hearing and determining thereof, and vpon hearing thereof, shall and may adnull, diminish, alter or enlarge the sayd Orders, Judgements and decrees of the sayd Commissioners, or any foure or more of them, as to either of them in their sayd seuerall Iurisdictions shall bee thought to stand with equitie and good conscience, according to the true intent and meaning

ning of the Honors and Fownders thereof, and shall and may taxe and awarde good costs of suite by their discretions, against such persons as they shall finde to complaine vnto them without iust and sufficient cause of the Orders, Iudgements, and Decrees before mentioned.

An Act to preuent Periury, and subornation of Periurie, and vnnecessarie expences in suites of Law.

The v. Chapter.

WHereas within diuers cities and townes corporate, and other places within this Realme of England, and the Dominions thereof, there are Iurisdictions, Customes, and Priuileges, to holde plea in Actions of debt, and other Actions, Plaints and suits, betweene partie and partie, and diuers of her Maiesties Subiects doe dayly commence many Actions, Plaints and Suites in the saide Cities, Townes corporate, and places, according to the Iurisdictions, Customes and Priuileges of the sayd places, and many defendants in Actions, Plaints and Suits, there brought and commenced, wil suffer the sayd Actions, Plaints and Suits to be proceeded in, and prosecuted there, vntill the cause betweene the Plaintifs and them be at issue, and the Iury sworne, and Euidence giuen on the Plaintifs part, before the sayd Defendant will deliuer into the Court, where the said Actions, Plaints or Suits are to be tried, writs formerly sued foorth by them to remoue the cause there depending, into some one or other of her Maiesties Courts of Record at Westminster, which keeping backe of the sayd writ is done by the Defendant, to no other purpose or intent, but to put the parties Plaintifes to as great charges and expences as they the said Defendants can, and to know what prooles the parties Plaintifes can make for the prooning of their issue, whereby the Defendants that

that sued forth the saide Writs, may haue longer time to furnish themselues with some false witnesse to impugne those proofes, which the Plaintifes haue openly made by their witnesses and proofes, which is a great cause of Periurie, & subornation of Periurie, a great expences to the Plaintifes. For remedie whereof, Be it enacted by the Queenes most excellent Maiestie, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authoritie of the same, that from and after the end of this present Session of Parliament, that no Writ or Writs of Habeas corpus, or any other Writ or Writs sued forth, or to be sued forth by any person or persons whatsoeuer, out of any of her Maiesties Courts of Record at Westminster, to remoue any Action, Suite, Plaint or cause depending, or to be depending in any Court or Courts, within any City or Towne corporate, or elle where, which haue or shall haue iurisdiction, power or authoritie to holde plea in any Action, Plaint, or Suite, shall be receiued or allowed by the Iudge or Iudges, or Officer or Officers of the Court or Courts, wherein, or to whom any such Writ or Writs shall be deliuered, but that he and they shall and may procede in the saide cause and causes, readie to be tried, as though no such Writ or Writs were sued forth or deliuered to him or them, Except that the sayde Writ or Writs be deliuered to the Iudge or Iudges, Officer or Officers of the said Court, before that the Iurie which is to trie the cause in question betweene the partie or parties Plaintifes, and the partie or parties that sued forth the sayd Writ or Writs, or for whose benefit the sayd Writ or Writs is or shall be sued forth, haue appeared, and one of the said Iurie sworne to try the said cause. Prouided alwayes, that this Acte shall continue no longer, then vntill the end of the next Parliament.

* * *

An

¶ An acte to auoyd trifling and friuolous ſuites in Law in her Maieſties Courts at Weſtminſter.

The vj. Chapter.

For auoyding the infinite number of ſmall and trifling ſuites, commenced or proſecuted againſt ſundry her Maieſties good and louing Subiects in her highnes Courts at Weſtminſter (which by the due courſe of the lawes of this realme, ought to bee determined in inferiour Courts in the Countrey) to the intollerable veration & charge of her Highneſſe Subiects, Bee it enacted by the authoritie of this preſent Parliament, if any Sheriffe, vnder Sheriffe, or other perſon, hauing authoritie, or taking vpon him to breake Writs after fourty dayes next after the ende of this Seſſion of Parliament, doe make any warrant for the ſummons of any perſon, as vpon any Writ, Proceſſe, or ſuit, or for the arreſt or attaching of any perſon or perſons by his or their body or goods to appeare in any her Maieſties Courts at Weſtminſter, or elſewhere, (not hauing before that the Originall Writ or Proceſſe warranting the ſame) That then vpon complaint thereof made to the Juſtices of Aſſize, of the County where the ſame offence ſhalbe committed, or to the Judges of the Court, out of which the Proceſſe iſſued, not only the party that made ſuch warrant, but all thoſe that were the procurers thereof, ſhall bee ſent for before the ſame Judges or Juſtices, by attachments or otherwiſe, as the ſame Judges or Juſtices ſhall thinke good, and allow of, and be examined thereof vpon their oathes. And if the ſame offence be confeſſed by the ſame Offenders, or proued by ſufficient witneſſes, to the ſatisfaction of the ſame Judges or Juſtices, That then the ſame Judges or Juſtices that ſhall ſo examine the ſame, ſhall forthwith by force of this Acte, commit euery

ry the same Offenders to the gaole of the County or Court where the same shall bee examined, there to remaine without Bayle or Mainprise, vntill such time, as they amongst them haue fully satisfied and payde vnto the partie grieued, by such warrant, not onely the summe of tenne poundes of lawfull English money, but also all such costes and dammages, as the same Iudges or Iustices shall set downe that the same partie hath sustained thereby, And withall twentie poundes a peece for their offence to her Maiestie.

And be it further enacted by the authoritie aforesayde, if vpon any action personall to bee brought in any her Maiesties Courts at Westminster, not being for any title or interest of lands, nor concerning the freehold or inheritance of any lands, nor for any battery, it shall appeare to the Iudges for the same Court, and so signified or set downe by Iustices before whom the same shall bee tried, that the debt or damages to be recouered therein in the same Court, shall not amount to the summe of forty shillings or aboue, That in euery such case the Iudges and Iustices, before whom any such action shalbe pursued, shal not award for costes to the partie plaintife, any greater or more costs then the summe of the debt or damages so recouered shall amount vnto, but lesse at their discretions. This Act to endure to the ende of the first Session of the next Parliament.

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An

¶ An acte to auoyd and preuent diuers misdemeanors in lewde and idle persons.

The vij. Chapter.

Forasmuch as vnlawfull cutting and taking away of Corne and Graine growing, robbing of Orchards and Gardens, digging vp or taking away Fruit trees, breking of hedges, pales or other fences, cutting or spoiling of woods or vnderwoods, standing & growing, & such like offences, are now more commonly committed by lewd and meane persons, then in former times: And that the sayd offences are great causes of the maintaining of idlenesse, and the persons which commit the same, are not for the most part able, nor haue wherewith to make recompense or satisfaction: Be it therefore enacted by the authority of this present Parliament, that all and euery such lewd person and persons, which from & after the last day of February now next following, shall cut, or vnlawfully take away any Corne or Graine growing, or robbe any Orchards or Gardens, or breake or cut any Hedge, Pales, Railes, or fence, or digge, pull vp, or take vp any Fruit tree or trees in any Orchard, Garden or elswhere, to the intent to take and cary the same away, or shall cutte or spoile any Woods or vnderwoods, Poles, or Trees standing, not being felonie by the Lawes of this Realme, and their procurer or procurers, receiuer or receiuers, knowing the same, being thereof lawfully conuicted by the confession of the party, or by the testimony of one sufficient witnesse, vpon oth before some one Justice of Peace, Maior, Bailiffe, or other head officers, which shall haue power by force of this Statute to minister the sayd oth where the offence shall be committed, or the party offending, apprehended, shall giue the partie & parties such recompense and satisfaction for his and their damages, and within such time as by any such one Justice of Peace of the sayd Countie where

where such offence shall be done, without the libertie of any City or Towne corporate, or by such head officer or Justice of Peace within any Citie or Towne corporate shall be ordered and appointed, and the same to be onely for the first fault. And if such offender or offenders shall be thought in the discretion of the sayd Justice or Justices, or other head officers, not able or sufficient, or do not make recompense or satisfaction for the sayd damages in manner and forme aforesayd: Then the sayd Justice or head officer shall commit all and every the sayd offender or offenders to some Constable or Constables, or other inferiour officers, of the Citie, Borough, Towne or Hamlet where the offence shall be committed, or the partie apprehended, to be whipped, and for every such offence, for, or of which the offender or offenders shall be effsoones convicted in forme afore limited, the person and persons so offending, to receive the sayd punishment of whipping.

And be it enacted by the authority aforesayd, That if any Constable or inferiour officer, doe refuse, or doe not at the commandement of any Justice of Peace or other head officer, execute by himself, or some other to be by him appointed, upon the offender, the punishment limited by this Statute, That in that case it shall and may be lawfull for the sayd Justice of Peace to commit the Constable or other inferiour officer, so refusing or not executing the sayd punishment by himselfe or some other, to the common Gaole of the sayd Countie, Citie, or Towne corporate, there to remaine without Baile or Mainprize, untill the sayd offender or offenders, be by the sayd Constable or Constables so refusing, or not executing, or some other by his or their procurement, punished and whipped, as is above limited and declared. Provided alwayes, that no Justice of Peace or other head officer, do execute this Statute for any of the offences aforesaid done unto himselfe, unlesse he be associated and assisted with one or more other Justices of the Peace whom the offence doth not concerne.

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¶ An Act against fraudulent administration of Intestates goods.

The viij. Chapter.

FOrasmuch as it is often put in ure, to the defrauding of creditors, That such persons as are to haue the administration of the goods of others dying intestate, committed vnto them, if they require it, will not accept the same, but suffer or procure the administration to be granted to some stranger of meane estate, and not of kinne to the Intestate, from whom themselues, or others by their meanes, do take deeds of gifts, and authorities by Letter of attorney, whereby they obtaine the state of the Intestate into their hands, and yet stand not subiect to pay any debts owing by the same Intestate, and so the creditours for lacke of knowledge of the place of habitation of the administrator cannot arrest him, nor sue him, & if they fortune to finde him out, yet for lacke of abilitie in him to satisfie of his owne goods, the value of that he hath conueyed away of the Intestates goods, or released of his debts, by way of wasting, the creditours cannot haue or recouer their iust and due debts:

Be it enacted by authoritie of this present Parliament, that euery person & persons, that hereafter shal obtaine, receiue, or haue any goods or debts of any person dying intestate, or a release, or other discharge of any debt or duety that belonged to the Intestate vpon any fraud, as is aforesayd, or without such valuable consideration, as shal amount to the value of the same goods and debts, or neere thereabouts, except it be in or towards satisfaction of some iust & principall debt of the value of the same goods or debts to him owing by the Intestate at the time of his decease, shall be charged and chargeable as executour of his owne wrong, and so farre onely as all such goods and debts comming to his hands, or whereof he is released or discharged by such Administrator will satisfie,

tiſſie, deducting neuertheleſſe to and for himſelfe allowance of all ſuch due, and principall debt vpon good conſideration without fraud, owing to him by the Inteſtate at the time of his deceaſe, and of all other paiments made by him, which lawfull Executors or Adminiſtrators may and ought to haue and pay by the Lawes and Statutes of this Realme.

An act for continuance of diuers Statutes, and for repeale of ſome others.

The ix. Chapter.

BE it enacted by authoritie of this preſent Parliament, That an Act made in the one and twentieth yeere of the reigne of the late king Henry the eight, intituled, An Act for the true making of cables, Hallers, and Ropes, And that an Act made in the foure and twentieth yere of the reigne of the late king Henry the eight, intituled, An Acte againſt killing of yong beaſtes, called Weanelings, And that two Actes, made in the fourth yeere of the reigne of the late king Edward the ſixth, the one concerning buying and ſelling of Nother beaſtes, and Cattell, the other intituled, An Act for the buying and ſelling of Butter and Cheeſe, And that an Acte made in the firſt yeere of the Queenes Maieſties reigne that now is, intituled, An Act for preſeruation of Spawne, and fry of Fiſh, And that an Act made in the fifth yeere of the Queenes Maieſties reigne that now is, intituled, An Act for auoiding diuers forraine wares, made by Artificers beyond Seas, And that an Acte made in the ſame fifth yeere of her Maieſties reigne, intituled, An Act touching certaine politique Conſtitutions, made for the maintenance of the ſame, together with all and euery additions, explanations, and ſuppoſitions made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made ſithence the making of the

same Act, and now continuing in force, And that an Act made in the eight yeere of the Queenes Maiesties reigne that now is, intituled, An Act for Bowyers, and the prices of Bowes, And that an Acte made in the thirteenth yeere of the Queenes Maiesties reigne that now is, intituled, An Act touching Leases of Benefices, and other Ecclesiasticall liuings with Cure, together with all and euery explanations, additions, and alterations thereof, or thereunto made by any other Statute or Statutes, made sithence the making of the said Act, and now continuing in force, with this further addition to be enacted by authoritie of this present Parliament, That all Judgements hereafter to be had, for the intent to haue or enioy any Lease, contrary to the sayde Statutes, or any of them, shall be deemed voyde, in such sort as Bonds and Couenants are appointed to be void, which are made for that purpose. And that an Act made in the same thirteenth yere of her Maiesties reigne, intituled, An Acte, that Purueyors may take Graine, Corne, and Victuals within fiue miles of Cambridge and Oxford, in certaine cases, And that an Act made in the eighteenth yeere of the Queenes Maiesties reigne, intituled, An Act for repairing and amending of the bridges and highwayes, neere vnto the Citie of Oxford, And so much of one other Act made the same yeere, intituled, An Act for setting the poore on worke, and auoyding idlenesse, as concerneth Bastards begotten out of lawfull Matrimonie, And that an Act made in the three and twentieth yeere of her Maiesties reigne, intituled, An Act for the repairing of Douer Hauen, with the prouisions and alterations thereof made, by an Acte made in the fiue and thirtieth yeere of the Queenes Maiesties reigne that now is, And that an Acte made in the seuen and twentieth yeere of her Maiesties reigne, intituled, An act for the good gouernment of the City or Borough of Westminster, And that an Acte made in the sayde seuen and twentieth yeere of her Maiesties reigne, intituled, An Act for reuiuing of a former Statute for the true making of Mault, together also with an Act made in the nine and thirtieth yeere of her Maiesties reigne, intituled, An Acte to restraine the excessiue making of Mault, And that an Act made in the sayd seuen and twentieth yeere of her Maiesties reigne, intituled, An Act for the keeping of the sea Banks, & sea works in the countie of Norfolke.

And that an Acte made in the one and thirtieth yeere of her Maiesties reigne, intituled, An Acte for the true gaging of vessels brought from beyond Seas, conuerted by Brewers for the vtterance and sale of Ale, and Beere, And that an Acte made in the said one and thirtieth yeere of her Maiesties reigne, intituled, An Act for reuiuing and enlarging of a Statute made in the three and twentieth yeere of her Maiesties reigne, for the reliefe of the

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cute of Lincolne, And that three Acts made in the fiue and thirtieth yeere of her Maiesties Raigne, One entituled an Acte to reuiue the Queenes Maiesties Subiects in their due obedience, Another Acte entituled an Act for the reformation of sundrie abuses in clothes called Deuonshire Kerseys, or Dozens, according to a Proclamation of the fourte and thirtieth yeere of the Raigne of our Soueraigne Ladie the Queenes Maiestie that nowe is: And one other entituled an Acte for the bringing in of Clapboard from the parts of beyond Seas, and the restraining of transporting of white taske, for the sparing and preserning of Tymber within the Realme: And that the seuerall Actes hereafter mentioned, made in the fiue and thirtieth yeere of her Maiesties Raigne that nowe is, (that is to say) An Acte intituled an Acte against the decaying of Townes and houses of Husbandrie, An Act intituled an Act for maintenance of Husbandrie and Tillage, An Acte intituled an Acte for the more speedie payment of the Queenes Maiesties debtes, and for the better explanation of the Act made in the thirteenth yeere of the Queenes Maiestie, intituled an Act to make the Lands, Tenements, goods and chattels of Tellers, Receiuers, &c. liable to the payment of their debts, An Act intituled an Act for the encrease of Mariners, and for maintenance of the Nauigation, repealing a former Acte made in the three and twentieth yeere of her Maiesties raigne, bearing the same Title, And an Act intituled an Acte for explanation of the Statute made in the fifth yeere of her Maiesties raigne concerning Labourers, An Act intituled an Act prohibiting the bringing into this Realme of forraine cards for wooll, An Acte intituled an Acte against lewde and wandering persons pretending themselues to be Souldiers or Mariners, An Acte intituled an Act for punishment of Rogues, Vagabonds, and sturdie Beggars, Except the Prouiso in the said last mentioned Acte concerning John Dutton of Dutton in the Countie of Chester Esquire, shal be continued and remaine in force, vntill the end of the first Session of the next Parliament. And touching the said Proviso concerning the said John Dutton, Be it enacted by authoritie of this present Parliament, That the same prouision shall continue and remaine in force to the ende of one yeere next ensuing the first day of this present Parliament and no longer, Except before the ende of the said yeere the sayde John Dutton or his heires shall procure the Lord chiefe Justice of the Pleas before the Queenes Highnesse to be holden, and the Lorde chiefe Justice of the common Pleas, and the Lord chiefe Baron of her Maiesties Court of Exchequer, or two of them, vpon hearing his allegations and proofes, to make certificate into her Maiesties Court of Chauncerie, That the said John Dutton or his heires ought lawfully (if no Statute a-

gainſt Rogues or Beggers had bin made) by Charter, Temure or Preſcription, to vſe, haue and exercile ſuch libertie of licencing Minſtrels as he claimeth and vſeth. And that the ſaid Certificate be inrolled in her Maieſties ſayd Court of Chauncery within the ſayd yeere. And if he or his heires ſhall procure ſuch Certificate as aforeſayd, and cauſe the ſame to be inrolled as is aforeſayd, Then be it enacted alſo by the authoritie of this preſent Parliament, That the ſame Prouiſion ſhall alſo continue in force vntil the end of the firſt Seſſion of the next Parliament.

And be it further enacted, That an Act made in the nine and thirtieth yeere of the Queenes Maieſties reigne, intituled, An Act for the reliefe of the Poore, ſhall alſo continue and remaine in force vntill the end of the firſt Seſſion of the next Parliament, except ſome new Act ſhall be made in this preſent Seſſion of Parliament concerning the ſame. And that two Acts made, the one in the fiue and thirtieth yeere of the Queenes Maieſties reigne, intituled, An Act for the neceſſary reliefe of Souldiers and Mariners, And the other made in the nine and thirtieth yeere of her Maieſties ſayd reigne, for the further explanation and continuance of the ſame former Act, ſhall alſo continue and remayne in force vntill the ende of the firſt Seſſion of the next Parliament, except ſome new Acte ſhall be made concerning the ſame in this preſent Seſſion of Parliament.

And be it alſo further enacted by authority of this preſent Parliament, That an Act made in the nine and thirtieth yeere of the Queenes Maieſties reigne that now is, intituled, An Act to reforme Deceipts and Breaches of truſts, touching lands giuen to charitable vſes, be from henceforth vtterly repealed. And yet nuertheleſſe, be it enacted by authority of this preſent Parliament, that ſo much of the ſayd Acte as concerneth execution of Orders, Judgements and Decrees heretofore made by Commiſſioners, aſſigned by vertue of the ſayd Act, and examination, hearing and determining of the ſayde Orders, Judgements and Decrees by ſuch Commiſſioners heretofore made, ſhall ſtand and remayne in force onely as for and concerning ſuch Judgements and Decrees as heretofore haue bene made by vertue of the ſame Acte, and of Commiſſions thereupon awarded.

Prouided alwayes, and bee it enacted by authoritie of this preſent Parliament, that the ſaid Act for maintenance of Husbandry and Tillage, ſhall not extend to any Landes lying within the Countie of Northumberland.

And prouided alſo, and be it alſo enacted by the authority aforeſaid, that ſo much of the Act aboue mentioned, intituled, An Act for the increaſe of Mariners, and maintenance of the Nauigation, repealing a former Act made in the three and twentieth yeere of

of her Maiesties reigne, bearing the same title, as concerneth the repealing and making voyde of all Ordinances of the Fishmongers of London, or of any other Companie or Corporation whatsoeuer, made or to be made for restraint of any person to take or sell fish, or to buy, or prouide any fish of any Merchant or other within this Realme, or the making or executing of any such Ordinance or restraint, shall from henceforth remaine discontinued and repealed, The former continuance of the sayd Act in this present Act mentioned, notwithstanding.

And yet neuertheless be it enacted, That no such Ordinance or restraint made or to be made, shall in any wise extend or be put in execution, during the continuance of the sayd former Act made in the nine and thirtieth yeere of her Maiesties reigne, to restraine any Coastmen, Fishermen, or any others, Subiects or Forreiners, for or concerning the taking, bringing in, putting to sale, or buying of any salted fish, or Herrings being holsome and sweet vpon and vnder the paines and penalties in the sayd former Act of the nine and thirtieth yeere of her Maiesties reigne conteined.

Prouided alwayes, and be it enacted by the authoritie of this present Parliament, That no ship, vessell, or crayer, whereof any her Maiesties subiects shalbe owners or part owners, of the burthen of twentie tunnes loading and vpwards, loading, or discharging within this Realme, and passing to and from any forraine Countrey, other then ships, vessels, and crayers, which shall be laden with Seacole or Grindstones, shall after the ende of this Session of Parliament, in respect of any such voyage, pay to the reparation of Douer Hauen, but only after the rate of three pence the tunne for the Merchandize, wherewith such ship, vessell, or crayer shall be in such voyage laden, and not after the rate of three pence the tunne of the burthen of euery such shippe, vessell, or crayer. And that euery shippe, vessell, or crayer, which shall be imployed in a voyage of fishing, shall not vpon returne of such voiage pay but after the rate of three pence the tun for such oyle, traine, and merchandize, as such shippe shall bring home in such voyage, and not any thing for fish, or in respect of the burthen of the same ship, vessell, or crayer, The sayd Statute made for the repairing of Douer hauen, or any other Statute touching the same, or any thing in this Acte conteyned to the contrarie thereof, in any wise notwithstanding.

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¶ An acte for the true making and working of woollen clothes.

The x. Chapter.

THe Queenes moſt excellent Maieſtie with the aduiſe of her high-neſſe Lords Spirituall and Temporall, and the Commons in this preſent Parliament aſſembled, weighing and conſidering the good and godly purpoſes of diuers and ſundry Statutes heretofore made and ordeyned for the true making and working of woollen cloth, to be fruſtrated and deluded by ſtraining, ſtreeching, want of weight, ſtocks, ſolace, chalke, flower, deceitfull things, ſubtill ſleights and vntruethes, ſo as the ſame Clothes being put in water, are found to ſhrinke, rewey, purſey, ſqually, cockling, bandy, light, and notably faulty, to the great diſlike of forraine Princes, and to the hinderance and loſſe of the buyer and wearer: For redreſſe thereof is pleaded, and willeth it to be enacted, and by the auctoritie of this preſent Parliament it is enacted, That from and after the feaſt of the Purification of the bleſſed Virgine next enſuing, No perſon or perſons ſhall put any Haire, Flockes, Thrummes, or Yarne made of Lambes Wooll, or other deceiueable thing or things, in or vpon any broad woollen Cloth, halfe Cloth, Kerſey, Frize, Dozen, Penyſtone or Cotton, Taunton Cloth, Bridgewater, Dunſter Cotton, which Dunſter Cotton hereafter ſhall be by this preſent Act intended and taken to be of like weight, length and breadth as Taunton and Bridgewater cloth, or other Cloth of what nature, kind or name ſoeuer, made or to be made to be ſold, or offered to be ſolde, vpon paine to forfeit euery ſuch Cloth, halfe Cloth, Kerſey, Frize, Dozen, Penyſtone and Cotton, and other woollen Cloth, of what nature, kinde or name ſoeuer, whereinto or whereupon any ſuch Haire, Flockes, Thrummes, Yarne or Lambes wooll, or other deceiueable thing or things whatſoeuer, ſhall be ſo put,

Any

any Law, Statute, dispensation, allegation or tolleration to the contrary thereof in any wise notwithstanding. And vpon paine that euery person and persons which shall buy, gather or procure any haire, flockes, Thrummes, Yarne of Lambes wooll, or other deriueable thing or things whatsoeuer for that intent and purpose, to forfeit the same haire, flocks, thrummes, yarne of lambes wooll, and other deriueable thing and things whatsoeuer.

And that no person or persons within her Maiesties Realme of England or the Dominions of the same, shall from and after the feast of Easter now next ensuing, haue, vse or occupie within any place of her Maiesties said Realme or Dominions, any Tentor, Instrument, Engine, or other deuice of what sort or kinde soeuer with any lower Barre, Pinne, Ring, or other Engine or deuice, of what sort or kinde soeuer, whereby or wherewith any rough and vnwrought woollen broad Cloth, halfe cloth, Kersey, Cotton, Dozen, Penystone, Frize, Rugge, or any other rough and vnwrought woollen cloth, of what nature, kinde or name soeuer they be or shalbe of, made or to be made to be so sold, shall or may be stretched or strayned in breadth, Or shall haue, keepe or vse any manner of Wrinch, Ringhead, Growme, Rope or other engine to stretch or straine any rough and vnwrought woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Pennystone, Frize, Rugge, or any other rough and vnwrought woollen cloth of what nature, kinde or name soeuer they be or shall be of, in length made or to be made to be so sold, vpon paine that euery offendor that shall haue, keepe, vse or exercise any such Tentor, Instrument, Engine or deuice, with a lower Barre, Pinne, Ring, Engine or Deuice, Wrinch, Ringhead, Growme, or Rope of what sort or kinde soeuer, shall forfeit for euery such offence twentie pounds, the one halfe thereof to our Soueraigne Lady the Queenes Maiestie, and the other halfe to him that will sue for the same, by Bill, plaint or information, in any of her Highnesse Courts of Record, wherein no essoine, protection or wager of Law shall be allowed. And that no person or persons within her Maiesties Realme of England, or the Dominions of the same, from and after the sayde feast of Easter, now next ensuing, shall set or cause to be set, directly or indirectly, any wrought woollen broad cloth, halfe cloth, Kersey, Cotton, Dozen, Penystone, Frize, Rugge, or any other wrought woollen cloth, of what nature, kinde or name soeuer they bee or shall be of, made for sale or offered to be solde, in or vpon any Tentor, Instrument, Engine or deuice, with a lower Barre, Pinne, Ring, engine or deuice, wrinch, ringhead, growme, or rope of what sort or kind soeuer to stretch or straine the same wrought woollen Cloth, halfe Cloth, Kersey, Cotton, Dozen, Pennystone, Frize, Rugge, or any other wrought woollen Cloth, of what nature,

kinde,

kinde, or name soeuer they bee or shall be of, otherwise then the whole wrought woollen broad Cloth one yard in length, and one halfe quarter in breadth, And the halfe Cloth one halfe yard in length, and one halfe quarter in breadth, And the Kersey, Cotton, Dozen, Pennistone, Frize, and Rug, one halfe yard in length, and one nayle in breadth, Or shall vtter or sell any wrought woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Pennystone, Frize, Rugge, or any other wrought woollen Cloth, of what nature, kind, or name soeuer they be, or shall be of, tentred, strained or stretched, otherwise then as aforesayde, in or vpon any Tentor, Instrument, Engine, or deuise, with a lower Barre, Pinne, Ring, Engine or deuise, Wrinch, Ringhead, Growme, or Rope, of what sort or kind soeuer, vpon paine to forfeit euery such wrought woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Pennistone, Frize, Rugge, and euery other wrought woollen Cloth, of what nature, kinde or name soeuer they be, or shall be of.

And be it further enacted by the authoritie aforesayd, That no woollen broad cloth, halfe cloth, Kersey, Cotton, Dozen, Pennystone, Frize, Rugge, nor any other woollen cloth, of what nature, kinde or name soeuer they be, or shall be of, shall from and after the said feast of Easter now next ensuing, (being well scowred, thicked, milled, and fully dryed and made to be solde, or which shall be offered to bee solde) exceede the seuerall length or lengths, which heretofore is limited and appointed, respectiuely for euery such broad woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Pennystone, Frize, Rugge, and other woollen Cloth, of what nature, kinde, or name soeuer to be of, and ought at this time to be of, by the seuerall Statutes therefore limitted and appoynted, vpon paine of forfeiture of euery such broad woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Pennistone, Frize, Rugge, and euery other woollen cloth of what nature, kinde, or name soeuer. And that euery woollen broad cloth, halfe cloth, Kersey, Cotton, Dozen, Pennistone, Frize, Rugge, and euery other woollen cloth, of what nature, kind, or name soeuer they be, or shall be of, shall from thencefoorth (being well scowred, thicked, milled, and fully dryed) weigh respectiuely the true weight which is heretofore limitted and appoynted for euery such broad woollen Cloth, halfe Cloth, Kersey, Cotton, Dozen, Pennistone, Frize, Rugge, and euery other woollen cloth, of what nature, kinde or name soeuer they be or shall be of, to weigh, and ought at this present time to weigh by the seuerall Statutes therefore limitted and appointed, saueing that Taunton clothes, Bridgwaters, and such clothes as shall be made in Taunton, Bridgwater, and other places of like sort and making, and limitted to weigh foure and thirtie pounds at the least, shall and may from henceforth (being well scowred, thicked,

milled,

milled, wrought and fully dried) weigh onely thirtie pounds at the least, Any former Statute or Statutes to the contrary thereof in any wise notwithstanding. And saving that Suffolke, Norffolke, Essex, and Northerne cloth, limitted by the seuerall Statutes of the fifth yeere of King Edward the first, and the fourth and fifth yeeres of King Philip and Queene Mary, or one of them, to weigh the seuerall weights therein mentioned, shall and may be abated for the workemanship of the whole cloth foure pounds, and for the halfe cloth two pounds in the weight thereof, as the same Norffolke, Suffolke, and Essex clothes are allowed by her Highnesse toleration by Proclamation.

And if it shal happen, that any of the said broad woollen clothes, halfe clothes, Kerseys, Cottons, Dozens, Pennistones, Frizes, Rugges, or any other woollen cloth, or what nature kind, or name soeuer they be or shall be of, made or to be made to be sold, or offered to be solde, shall lacke (being well scowred, thicked, milled, wrought, and fully dried,) of the weight therefore respectiuely limitted, and which ought to bee of that weight by this present Acte, aboue three pound in any whole broad woollen cloth, or aboue one pound, and the halfe of one pound in one halfe broad cloth, Taunton cloth, Bridgewater or other cloth of like sort, Or aboue one pound in one Kersey, Cotton, Dozen, Pennistone, Frize, Rugge or any other woollen cloth respectiuely, of what nature, kind or name soeuer they be or shall bee of, Then the offender shall forfeit for one pound wanting more then as aforesayd, tenne shillings, And for two pounds twentie shillings, And for three pounds fortie shillings, & so double the forfeiture for euery pound so wanting, vnlesse the partie offending by such wanting, will yeeld the same cloth, halfe cloth, Kersey, Cotton, Dozen, Pennistone, Frize and Rugge so wanting, forfeited, which if hee will yeeld, then the same so wanting shalbe forfeited: any former Law, Statute or other matter or thing whatsoeuer to the contrarie thereof in any wise not withstanding.

And that one Statute made in the nine and thirtieth yeere of her Highnesse reigne, intituled, An Act against the deceitfull stretching and tentering of Northerne cloth, as to, for, touching and concerning viewes, seales, searches, appointment of Ouerseers, Ouerseers, penalties and authoritie giuen to Justices of Assize, Justices of Peace, head Officers of Cities, Boroughs, & Townes corporate, and other person and persons of and for Northerne clothes, in the Countie of Yorke, Lancaster, and other the Counties on the North of Trent, shal from the sayd Feast of Easter next ensuing, respectiuely extend vnto all and singular Woollen broad Clothes, halfe Clothes, Kerseys, Cottons, Dozens, Penistones, frizes, Rugges, and all other woollen Cloth, of what nature,

kinde

kinde or name soeuer they be or shall be of, made and to be made within her Highnesse Realme of England, to be viewed, sealed, searched, ouerseene, subiected to penalties, and authority giuen to Iustices of Assize, Iustices of Peace, and other person and persons, in such and the like maner and forme, and to such and the like purposes and intents respectiuely, as is limited and appointed for such sayd Northerne Clothes. And that euery broad Woollen Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penistone, Frize, Rugge, and euery other woollen Cloth, of what nature, kinde or name soeuer they be or shall be of, sealed by the Ouerseers authorised by this present Act, shall not be brought to be viewed, searched and seene, nor shalbe searched, tried, or watered by any other Searcher, and Ouerseer of any other City, Borough, Towne, Village, Parish or Hamlet, by vertue of his or their office or offices, Any Statute, matter or thing to the contrary thereof in any wise notwithstanding.

And be it further enacted, that the seuerall branches of the seuerall Acts of Parliament, the first intituled, An Act for the true making of Woollen Cloth in the fifth yeere of the reigne of King Edward the sixth, and the Act, intituled, An Act touching the making of Woollen Clothes in the fourth & fifth yeeres of the reigne of King Philip and Queene Mary, and in the Act made in the seuen and twentieth yeere of the reigne of our sayd Soueraigne Lady the Queenes Maiesty that now is, intituled, An Act touching the breadth of white Woollen Clothes made in the Counties of Somerset, Wilts, Glocester & Oxon, and in the Act made in the fiue and thirtieth yere of the reigne of our sayd Soueraigne Lady the Queenes Maiesty that now is, intituled, An Act touching the breadth of Plunckets, Azures and Blues, and other coloured Clothes made in the County of Somerset or elsewhere, of like making, for & concerning the exceeding of length of Clothes mentioned in the sayd Statute of the fifth yeere of King Edward the sixth, shall from henceforth be vtterly repealed, as concerning onely the sayd ouerlengths, and that one other branch made in the sayd fourth and fifth yeere of the reigne of King Philip and Queene Mary, touching or concerning Certificates of faultie Clothes, shall from the sayd Feast of Easter next ensuing, be likewise repealed, for Clothes to be solde after the sayd Feast of Easter next ensuing.

And be it enacted, that no Merchant or Buyer, which shall transport, or cause to be transported beyond the Seas any broad woollen Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penistone, Frize, Rugge, or any other woollen Cloth, of what nature, kinde or name soeuer they be, or shall be of, by reason of any Clothiers or Sellers of any broad woollen Cloth, halfe Cloth, Kersey, Cotton, Dozen,

Dozen, Penystone, Frize, Rugge, or any other woollen Cloth of what nature, kinde or name soeuer they be, or shalbe of, so transported his hand to such Merchant or buyers Booke, Bill or Tycket, for or touching any defects, shall take any benefit or aduantage.

And be it further enacted, that all and euery article, clause and sentence in any Act of Parliament heretofore made, touching or concerning the sayd abuses in this Act mentioned, and beeing repugnant and contrariant to any Article or sentence in this Act, shall from the sayd Feast of Easter now next ensuing, bee vtterly voyde, and of none effect.

And be it further enacted, that such as shall offend after the said Feast of Easter against the sayd Act in the nine and thirtieth yeere of her Highnesse reigne, obseruing and performing this present Act, shall not incurre any penaltie mentioned in the sayd Acte of the sayd nine and thirtieth yeere. The moitie of all which forfeitures (not otherwise by this present Act appointed) shall be to the Searchers and Ouerseers that shall and will finde the same, and in his and their default, to him that shall finde the same, and the other halfe to the poore of the Parish where the offence shall bee committed.

Prouided alwayes, that this Act or any thing therein conteined, shall not extend to take away or abridge from any lawfull Aulneger any power or right already giuen vnto him by her Maristies letters Patents, for the viewing, searching or seizing of any Clothes put to sale, contrary to the Lawes heretofore made in that behalfe. This Act to continue till the end of the next Session of the next Parliament, and no longer.

Prouided also neuerthelesse, That if any vnwrought Cloth, halfe Cloth, Kersey, Cotton, Dozen, Penystone, Frize, Rugge, or any other vnwrought woollen Cloth, of what nature, kinde or name soeuer they be, or shalbe of, transported after the sayd Feast of Easter next beyond the Seas, shalbe found to haue bin formerly tendered, strayned and stretched by the meanes or consent of the maker or seller thereof, contrary to the true intent of this present Act: That then such Merchant or buyer shall or may at his owne costs and charges returne the same into this Realme, and after such returne, deliuer, or cause the same to bee deliuered vnto the maker or seller thereof with the seales thereunto limitted by this present Act to be fixed, and thereupon shall or may recouer the value thereof so returned by action of Debt, Bill, plaint or Information, in any of her Highnesse Courts of Recorde, against the maker or seller thereof, by whose meanes or consent the same was so tendered, strayned, and stretched.

¶ An act for the recouering of many hundred thousand Acres of Marishes, and other grounds, subiect commonly to surrounding, within the Isle of Ely, and the Counties of Cambridge, Huntington, Northampton, Lincolne, Norffolke, Suffolke, Sussex, Essex, Kent, and the Countie Palatine of Duresme.

The xj. Chapter.

Hereas it is apparant to such as haue trauailed in the execution of Commissions of Sewers in the Isle and Counties aforesaid, That the Waستes, Commons, Marishes, and Fennie grounds there subiect to surrounding, may be recouered by skilfull and able vndertakers, whereby great and inestimable benefite would arise to her Maiestie, her heires and successours, dis-burdening her Highnesse of many charge-able bankes, and workes of Sewers within those surrounded grounds, as the encrease of many able Subiects, by habitations being there erected, and in like sort profitable vnto many her Highnesse Subiects, both bodies politique as corporate, who haue estate of inheritance and other interest within the same. And for that the drayning and making drie and profitable of those surrounded grounds is chiefly hindered, for that the greater part of them are Waستes and Commons, subiect yerely to surrounding, wherein diuers haue Common by prescription, by reason of their reliancie and inhabitancie, which kinde of Commons, nor their interest therein can by the Common law be extinguished, or granted to binde others which should inhabite there afterwards: And in that also it appeareth, that the Commoners, in respect of their poueri-

powertie, are vnable to pay the great charges to such as should vndertake the recouery of the same.

It may please your Maiestie, that by your Highnesse, and the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and the authoritie of the same, It may bee enacted, That the Lord, or Lordes, as well bodies politique or corporate, as any other person or persons whatsoeuer, of all and euery the Waste and Commons aforesaide, and the most of the Commoners for their particular Commons, and likewise the Owners, and such as haue or shall haue interest in any seuerall surrounded groundes, lying within or neere the same, may contract or bargaine for part of such Commons, Waste, and Seuerals aforesaide, with such person and persons which will vndertake the drayning and keeping dry perpetually, the Seuerals, Waste or Commons of that qualitie. Which contract and bargaine, and conueyances thereupon made, shalbe good and auaileable in Law to all constructions and purposes, against the saide Lords of the sayde soyle, and Owners of Seuerall, and their heires, successours, and assignes, and all the Commoners, and such as shal or might haue Common or interest there afterwards, according to the contracts, couenants, prouisions, and agreements in those conueyances to be specified, and for so much of such Commons, Waste, or Seuerals, as shall be so contracted or conueyed, To holde and enioy in seueraltie, to such person and persons, his or their Assignee or Assignees, as shall or haue vndertaken the same, in such maner and forme, as his or their estates and interest are or shall be, by or vpon such contracts or agreements, by such conueyances limitted or appointed.

Prouided not withstanding, and be it enacted by the authoritie aforesayd, That in all cases, where your Highnesse, your heires or successors is or shall bee Lord or Owner of the Freehold of the soyle of such Waste or Commons, or any part of the same, That the most part of the Commoners in such your Highnesse soyle, shal or may contract, bargaine, assigne, and set foorth as is aforesayd, part of their Common therein, to any person or persons which will vndertake the drayning of that whole Common accordingly as the Lords & the most part of the Commoners in the surrounded Waste or Commons aforesaid of bodies politike or corporate may doe, as is before declared: which shall binde, and be good and auaileable against all the sayde Commoners, their heires, executors or assignes, and all others that shall hereafter, by reason of any their reliancie, claime any Common of pasture in the sayde Waste or common grounds, whereof the soyle doth or shall pertaine to your Maiestie, of and for all their interest or claime of

Common therein, To hold, according to the true intent and effect of such contract, bargaine, assignement, and conueyances by writing indented, sealed and deliuered by the most part of such Commoners, as shall be made betweene the most part of such Commoners and such vndertakers: but shall not in any sort bee of any effect or validitie against your Highnesse, your heires, successors or assignes, or their estate or estates, in, or to the soyle thereof, Except such conueyances be by writing indented in parchment, and one part thereof vnder the handes and seales of most part of the Commoners so contracting the same, certified into your Highnes high Court of Chauncerie, if the wastes or soyles shall bee of the possessions of your Highnesse Crowne of England. And except your Maiesties royall consent be obtayned thereunto, and signified by and vnder your Highnesse priuie seale, or great Seale, and enrolled in your Highnesse sayd Court of Chauncerie, And after such assent so had, signified & enrolled, Then the same Contracts and Couenants shall be good and auaileable to all and euery such vndertakers, their heires and assignes, against your Highnesse, your heires and successors, according to the prouisions, agreements and couenants so assented vnto by your Highnesse, your heires and successors. And where they are of the possession of the Dutchie of Lancaster, Then the said contract, bargaine, assignment, of or from your Highnesse, shall not be of any effect or validitie against your Highnesse, your heires, successors, and assignes, Except such Contract and bargaine touching the premisses, and such assignement and setting forth of such part to the sayd vndertakers to hold in seueraltie, be by writing indented in parchment sealed and deliuered by the sayd Commoners, or the most part of them, and the sayde vndertakers, and one part thereof certified vnder the hands and seales of most part of the Commoners, into your Highnesse Court of the Dutchie of Lancaster for the time being, And your Maiesties Royall consent, vnder the seale of the sayd Dutchie, obteyned thereunto, and there enrolled in that Court. Which consent Royal being obteyned for the soyle of such Waste, being of the possessions of the Crowne, and vnder the seale of the sayd Dutchie, of your Highnesse soyle of such Wasts as are of those possessions, The sayd vndertakers, and their heires and assignes shall and may enioy in seueraltie, the soyle of so much Waste and Common, as was so contracted for, assigned, and set forth, by the most part of your Highnesse Commoners, in such sort and qualitie, as the said vndertakers shall hold and enioy the interest of Common, to all intents and purposes.

Prouided alwayes, and be it enacted, That this Acte, nor any thing therein contayned, shall not extend to the empayring, diminishing,

nishing, letting, taking away, or extinguishing of the interest of the Commoners or any of them, or of the Lords or Owners of the soyle, of, in, or to any part of the residue of the waستes or Commons, which is not, or shall not bee so set foorth, or assigned to the undertakers, Nor to any Franchises or Liberties, or Waife, Stray, Leete, Law day, nor other liberties to be vsed or taken, in the part so to the said Undertakers assigned. But that as well the Commoners and Lords and Owners of that soyle, shall and may enioy their Commons in the residue thereof, And the Queenes Maiestie, her heires and successors, and the Lords and Owners shall and may haue and enioy such Liberties and Franchises in such their part, as heretofore was lawfully vsed, and as they or any of them should or might haue done, if this Acte, or such contract, bargaine, and assignement had neuer beene, Any thing in this Statute conteined to the contrarie notwithstanding.

Prouided alwayes, and be it enacted, That this Acte, or any thing therein conteyned, shall not extend either to any bargaine, sale, agreement, grant, conueyance, or assurance, Or to the Inning, draining, or laying drie of any Commons, Marshes, or surrounded grounds, whereby, or by meanes whereof, any of the Hauens or Ports of this Realme of England may be in any sort annoyed, empaired, or hindered, Nor to any grants within eight miles of Yarmouth, or fiue miles of Lin, within the Countie of Norfolke.

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An act concerning matters of assurances vsed amongst Merchants.

The xij. Chapter.

Hereas it euer hath bene the policie of this Realme, by all good meanes to comfort and encourage the Merchant, therby to aduance and increase the generall wealth of the Realme, her Maiesties customes, and the strength of shipping, which consideration is now the more requisite, because trade and traffique is not at this present so open as at other times it hath bene: And whereas it hath bene time out of minde an vsage amongst Merchants, both of this Realme and of forraine nations, when they make any great aduenture (specially into remote parts) to giue some consideration of money to other persons (which commonly are in no small number) to haue from them assurance made, of their Goods, Merchandizes, Ships, and things aduentured, or some part thereof, at such rates, and in such sort, as the parties Assurers and the parties Assured can agree, which course of dealing is commonly termed, A policie of assurance, by meanes of which policies of assurance it commeth to passe, vpon the losse or perishing of any shippe, there followeth not the vndoing of any man, but the losse lighteth rather easily vpon many then heauily vpon fewe, and rather vpon them that aduenture not then those that doe aduenture, whereby all Merchants, specially of the younger sort are allured to venture more willingly, and more freely: And whereas heretofore, such Assurers haue vsed to stand so iustly and precisely vpon their credites, as fewe or no controuersies haue risen thereupon, And if any haue growen, the same haue from time to time bene ended and ordered by certaine graue and discreete Merchants, appointed by the Lord Mayor of the Citie of London, as men by reason of their experience

perience fittest to vnderstand, and speedily to decide those causes, vntill of late yeres, that diuers persons haue withdrawen themselues from that Arbitrarie course, and haue sought to drawe the parties assured, to seeke their moneys of euery seuerall Assurer, by suits commenced in her Maiesties Courts, to their great charges and delayes.

For remedy whereof, Bee it enacted by the authoritie of this present Parliament, That it shall and may be lawful for the Lord Chauncellour, or Lorde Keeper of the great Seale of England for the time being, to award foorth vnder the great Seale of England, one generall or standing Commission, to be renewed yeerely at the least, and otherwise so oft, as vnto the sayd Lord Chauncellor, or Lorde Keeper shall seeme good, for the hearing and determining of causes arising, and policies of assurances, such as nowe are, or hereafter shall be entred within the Office of Assurances within the Citie of London, and whereof no suite shall be depending the last day of this Session of Parliament, in any of her Maiesties Courts. Which Commission shall be directed vnto the Iudge of the Admiraltie for the time being, the Recorder of London for the time being, two Doctors of the Ciuile lawe, and two common Lawyers, and eight graue and discrete Merchants, or to any fiue of them: which Commissioners, or the greater part of them, which shall sit and meete, shall haue by vertue of this present Acte, full power and authoritie to heare, examine, order and decree all and euery such cause and causes concerning policies of Assurances, in a briefe and summarie course, as to their discretion shall seeme meete, without formalities of pleadings or proceedings.

And be it further enacted by the authoritie aforesaid, That it shall be lawfull for the sayd Commissioners, as well to warne any of the parties to come before them, as also to examine vpon oath any witnesse that shall be produced, and to commit to prison without Bayle or Mainprise, any person that shall wilfully contemne or disobey their finall Orders or Decrees. And that the sayd Commissioners shall once euery weeke at the least meete, and sit vpon the execution of the sayde Commission, in the Office of the Assurances, or in some other conuenient publike place by them to be assigned. And that no person by vertue of this Act may claime or exact any fee, for any matter or cause concerning the execution of the sayd Commission.

And be it further enacted by the authoritie aforesaid, That if any person shall be grieued by sentence or decree of the said Commissioners, that such person so grieued, may at any time within two moneths of the sayd decree so made, exhibite his bill into the high

high Court of Chancery, for the reexamination of such decree, So as euery person Complainant, before hee shall exhibite any such bill, doe either execute and satisfie the sayd sentence so awarded, or at the least lay downe In Deposito with the saide Commissioners, such summes of money as he shall be awarded to pay, and that vpon so doing, the sayd Complainant shall be enlarged of his imprisonment: And that the Lorde Chancellor, or Lord Keeper for the time being, shall haue full power and authoritie by vertue of this Act, vpon euery complaint made (in order as aforesaid) to reuerse, or affirme euery such sentence or decree, according to equitie and conscience. And that the said Lord Chancellor or Lord Keeper, in euery such suit brought before him as aforesaid, by such Assurers, and decreed against the sayd Assurers, shall award double costs to the partie assured.

Prouided neuertheless, That no Commissioner shal intermeddle in the execution of any such Commission, in any cause or matter of assurance, where himselfe shall be either a partie Assurer, or assured, in the same assurance which is brought in question. And that any Commissioner (other then the sayd Iudge of the Admiraltie, & the Recorder of London) shall deale or proceed in the execution of any such Commission, before he haue taken his corporall oth before the Lord Mayor and Court of Aldermen of the Citie of London, to proceed vprightly and indifferently betweene partie and partie.

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An act for the more peaceable gouernment of the parts of Cumberland, Northumberland, Westmerland, and the Bishopricke of Durham.

The xiij. Chapter.

Forasmuch as now of late yeeres, very many of her Maiesties Subiects dwelling and inhabiting within the Counties of Cumberland, Northumberland, Westmerland, and the Bishopricke of Duresme, haue bene taken, some forth of their owne houses, and some in trauailing by the high way, or otherwise, and caried out of the same Counties, or to some other places within some of the sayd seuerall Counties as prisoners, and kept barbarously and cruelly, vntill they haue bene redeemed by great ransomes: and where now of late time there haue bene many incursions, roades, robberies, and burning and spoiling of Townes, villages and houses within the sayd Counties, That diuers and sundrie of her Maiesties louing Subiects within the sayd Counties, and the inhabitants of diuers Townes there, haue bene inforced to pay a certaine rate of money, corne, cattell, or other consideration, commonly there called by the name of Blacke mayle, vnto diuers and sundrie inhabiting vpon or nere the Borders, being men of name, and friended and alied with diuers in those parts, who are commonly knowen to be great robbers and spoile takers within the sayd Counties, to the ende thereby to be by them freed, protected, and kept in safety from the danger of such as doe vsually robbe and steale in those parts: By reason whereof, many of the inhabitants thereabouts, being her Maiesties Tenants, or other good Subiects, are much impouerished, and theft & robberie much encreased, and the maintainers thereof greatly encouraged, and the seruice of those Borders and frontiers much weakened and decayed;

decayed, and diuers Townes thereabouts much dispeopled and layd waste, and her Maiesties owne reuenew greatly diminished: which heinous and outragious misdemeanours there, cannot be well by the ordinary Officers of her Maiestie in those partes her speedily preuented or suppressed, without further prouision of Lawe.

For remedie whereof, Bee it enacted by the authoritie of this present Parliament, That whosoeuer shall at any time hereafter, without good and lawfull warrant or authoritie, take any of her Maiesties Subiects against his or their will or willes, and carie them out of the same Counties, or to any other place within any of the sayd Counties, or detaine, force, or imprison him or them, as prisoners or against his or their willes, to ransome them, or to make a pray or spoile of his or their person or goods, upon deadly feude or otherwise: Or whosoeuer shall be priuie, consenting, aiding, or assisting vnto any such taking, detaining, carying away, or procure the taking, detaining, or carying away of any such person or persons prisoners as aforesayd: Or whosoeuer shall take, receiue or carie, to the vse of himselfe, or wittingly to the vse of any other, any money, corne, cattell, or other consideration commonly called Blacke mayle, for the protecting or defending of him or them, or his or their lands, tenements, goods, or chattels, from such thefts, spoiles, and robberies as is aforesayd: Or whosoeuer shall giue any such money, corne, cattell, or other consideration called Blacke mayle, for such protection as is aforesayd. Or shall wilfully, and of malice burne or cause to bee burned, aide, procure, or consent to the burning of any Barne, or Stacke of corne or graine, within any the sayd Counties or places aforesayd, and shall bee of the sayd seuerall offences, or of any of them indicted, and lawfully conuicted, or shall stand mute, or shall challenge peremptorily aboue the number of twentie before the Iustices of Assises, Iustices of Gaole deliuerie, Iustices of Oyer and Terminer, or Iustices of Peace within any of the sayd Counties, at some of their generall Sessions within some of the sayd Counties to be holden, Shall be reputed, adiudged, and taken to bee as felons, and shall suffer paines of death, without any benefite of Clergie, Sanctuary, or abiuration, and shall forfeite as in case of felonie.

And where diuers and sundry persons within the sayd Counties, being indicted and outlawed for Murders, Robberies, Burglaries, or other Felonies, doe notwithstanding ordinarily resort and come to Markets, Faires, and other publike assemblies and meetings, and doe there conuerse, traffique, and trade with other her Maiesties subiects, and are entertained, and haue the priuiledge as men obedient to Lawes, and yet doe neuer yeeld themselues

times to triall of Lawe, nor are apprehended, whereby the ordinary proceeding of Lawe, and execution of iustice in those partes, are growen now into very great contempt: Be it therefore likewise further enacted, That euery Clerke of the Peace within euery of the said Counties, shal within the space of two moneths next after any outlawry within any of the said Counties, deliuer, or cause to be deliuered, by writing vnder his hand, the names of all and euery such as are or shall be hereafter outlawed within their seuerall Counties, to all and euery the Shirifs of the said seuerall Counties: And all and euery the said Shirifs shall proclaime and publish them to be outlawed in their seuerall County courts, and in the citie of Carliol, the townes of Penreth and Cockermouth in the Countie of Cumberland, and in the Townes of Appulby and Kendall in the Countie of Westmerland, and in the Towne of Newcastle vpon Tyne in the County of the Towne of Newcastle vpon Tyne, and in the Townes of Morpeth, Alnewicke, and Peram in the Countie of Northumberland, and in the Citie of Duresme, and Townes of Darlington, Bishop Awcland, and Barnard castle within the sayd Bishoprieke of Duresme, and in the Towne of Barwicke vpon Twede. And that the sayd Shirifs hauing notice as aforesayde, shall from time to time, once in the moneth, at their County court, proclaime euery of the sayde persons so outlawed or hereafter to be outlawed, vntill they shall yeeld their bodies to prison. And likewise that the Mayors, Bayliffs, Aldermen, or other chiefe Officers within the sayd seuerall Cities and Townes, shall proclaime the like at euery Faire or Faires to be kept within the said Cities or Townes, and once euery fiue weekes at their Markets.

And be it also enacted, That if any person or persons inhabiting within any the sayde seuerall Counties, shall wittingly and willingly haue conference, talke, or in any sort shall relieue, entertaine, or conferre with any such person or persons so outlawed or hereafter to be outlawed for any such Murthers, Robberies, Burglaries, or other Felonies, hauing knowledge of the same Outlawries by reason of the same Proclamation or otherwise, and then shall not with conuenient speed doe his best endeuour to take and arrest any such person or persons so outlawed or to be outlawed, as is aforesaid, shall suffer imprisonment by the space of fiue moneths without Baile or Mainprise, and be bound with two sufficient sureties for his good behauiour, for the space of one yeere after, before he be enlarged of his imprisonment.

And be it further enacted, That the Justices of Allize within any of the sayd Counties, Justices of Gaole deliuery, Justices of Oyer and Terminer, or Justices of Peace within any of the sayde Counties, at any of their Generall Sessions, shall haue power

and

and authority by vertue of this Act, to enquire, heare and determine of the offences and defaults of the sayd Shirifs, Maiors, Bailifs, Aldermen, and other Officers, and of the Clerks of the Peace within the sayd Counties, and proceede against them by Information or Indictment, and punish them by fine, imprisonment, or otherwise, as they shall thinke fit.

Prouided alwayes, That this Act, nor any thing therein conteined, shall not extend to abbridge or impeach the iurisdiction or authority of any the Lords Wardens of any the Marches of England, for and anenst Scotland, Any thing in this present Act to the contrary notwithstanding.

An acte concerning the assize of Fewel.

The xiiij. Chapter.

WHereas in the Parliament holden at Westminster, in the seuenth yeere of King Edward the first, One Acte was made touching the assized Talewood, Billets and Faggots to bee spent in London and Westminster, the which assize were very meete and conuenient should bee kept in all places through this Realme, where such Talewood, Billets and Faggots are vsed to be spent: Neuertheless, the forfeiture conteined in the sayd Statute for euery Shide of Talewood, Billet, and Faggot, lacking the assize, being put to sale, is three shillings and foure pence, which penaltie is ouer heauie and extreame, considering the same dependeth vpon the fault of poore labouring men which doe cut, marke, and make the same many times without the knowledge or consent of the seller. For remedie whereof, be it enacted by the authoritie of this present Parliament, That so much of the sayd Statute as concerneth the forfeiture of three shillings foure pence for euery Shide of Talewood, Billet or Faggot lacking the assize conteined therein, shall from henceforth be voyde and of none effect. And yet the assize for the said Talewood,

Billet

Billet and Faggots shall still continue in force, not onely for London and Westminster, but also in all other Cities, Boroughs and Townes corporate of this Realme, where such Talewood, Billet and Faggots are accustomed to be sold.

And be it further enacted, That if any person or persons shall after the first day of May next now ensuing, bring any Talewood, Billet or Faggot to any Citie, Borough or Towne corporate within this Realme, there to be solde, or being brought, shall put the same to sale, neither being of the assize mentioned in the said Statute made in the seuenth yeere of King Edward the first, nor agreeing with the measures hereafter in this Acte limitted: That then vpon information thereof giuen to the Mayor, Bayliff, or other head Officer of the sayd Citie, Borough or Towne corporate, they shall haue power and authoritie to call before them fiue good and lawfull men of the sayd Citie, Borough, or Towne corporate, and shall sweare them vpon their Corporall oathes, truely to enquire and present, whether all or any part of the said Talewood, Billet or Faggots be of good and sufficient assize according to the sayd Statute, and the limitation of assize herein contained, or not. And if they shall present vpon their oathes, that any of the same Talewood, Billets or Faggots be not of such good and sufficient assize as aboue sayde: That then the sayde Maior, Bailiffes, and other head Officers of the sayd Cities, Boroughs, and Townes corporate, by force of this Acte vpon their presentment, shall and may take such of the same Talewood, Billet and Faggots as be falsified, as forfeited, and shall deliuer the same vnto some Ouerseers for the poore in the saide Cities, Boroughs, and Townes corporate, to be by them giuen and distributed to the poore there, according to their discretions from time to time, as often as such offences shall be presented, in maner and forme aboue saide. And whereas in the sayde former Statute it was enacted and limitted, that euery Taleshide shall conteine in length foure foote besides the carffe, And euery Taleshide named one, should conteine in greatnesse within one foote of the middest, fiftene Inches about, and euery Taleshide named of two, to conteine in greatnesse within a foote of the middest, twentie and eight inches about, And euery Taleshide named of three, to conteine in greatnesse within one foote to the middest, twentie and eight inches about, And euery Taleshide named of foure, to conteine in greatnesse within one foote of the middest, thirtie three inches about, And euery Taleshide named of fiue, to conteine in greatnesse within one foote of the middest, thirtie eight inches about, And euery Billet to conteine in length, three foote foure inches, And euery Billet named a single, to conteine seuen inches and a halfe about, And euery Billet named to be a Cast, to

conteine ten ynches about, And euery Billet named of two Cast, to containe fourteene ynches about, And euery Faggot bend or sticke, to conteine in length three foote, And the Bond of euery such Faggot to be of foure and twentie inches about, besides the knot. In which Acte it was further enacted, that all Billets of two Cast should be marked within fiue ynches of the midst thereof, and euery Billet of one Cast to be marked onely within foure inches of the end therof, as in the said Act of Parliament amongst diuers other clauses, articles & prouisions doth and may appeare. And whereas diuers euill disposed persons euading from the true intent, good meaning and purpose of the said Acte of Parliament, haue cunningly deuised by cleauing of wood made, or to be marked for Talewood or Billet, and by stopping of Faggots with short sticks about the middest thereof, so to deceiue and abuse the Subiects of this Realme, as many times they sell the one halfe or little more for the whole, and yet so cunningly caried, that by the strickt Letter of the sayd Statute they cannot be comptrolled, by reason the saide Statute vseth onely the word (About) and wanteth the word (Round.) And whereas by the true intent of the said Statute, euery Bend of Faggot should be three foote, and the bond besides the knot foure and twentie ynches, the said euill disposed people doe not onely make the saide Bends or Faggot sticks much shorter, but if any chance to be of sufficient length, then onely one or two of those shall be put in a Faggot, and the Bond filled vp with short sticks or bends scarce one foote long, to the great dammage and deceipt of her Maiesties Subiects buying the same.

For auoyding of all which deceits for euer hereafter, and to auoid all scruple, ambiguitie, or doubt hereafter to be made of the said Statute, or the true meaning thereof. And for that it must needs be permitted to cleaue great trees into Talwood or Billet, for conueniencie of vse: Be it therefore (for explanation of the true intent of the said Statute) enacted by authoritie of this present Parliament, That from and after the first day of May now next comming, euery tall Shyde marked of one, being round bodied, shall conteine fifteene inches of assize in compasse, being of halfe round, nineteene inches of assize about, being quarter cleft eighteene inches and a halfe of assize about, And that euery Tall shyde marked two, being round bodied, shall conteine in compasse three and twentie inches of assize about, being halfe round seuen and twentie inches of assize about, being of quarter cleft fiue and twentie inches of assize about, And euery Tall shyde marked three, shall conteine in compasse about (being round) eight and twentie inches of assize, being halfe round to conteine in compasse three and thirtie inches of assize, being of quarter cleft two and thirtie

inches

inches of assize about. And euery Tall shide marked foure, to conteine in compasse (being round) three and thirtie inches of assize, being halfe round nine and thirtie inches of assize about, being of quarter Cleft, eight and thirtie inches of assize about. And euery Tall shide marked fiue, shall conteine in compasse being round, eight and thirtie inches of assize about, being halfe round, foure and fortie inches of assize about, and being quarter Cleft three and fortie inches of assize about. All which to be measured about within sixe inches of the midst thereof, and to conteine the length limitted by the said Statute. And in all other formes or maner of cleauing of wood to be hereafter marked and sold for Tal wood, which will not admit the former formes or maner of cleauing, nor any of these, to obserue the Letter of the sayd Statute of An. vij. Edward. vj. Cap. vij. And for the better vnderstanding of the intent of this Statute, Be it enacted by the authoritie aforesaid, That in euery one of these formes, the surplusage of compasse that shall happen betweene any two next measures, being aboue the one, and vnder the other in euery kinde, shall bee deemed, allowed, and taken to be for and to the benefit of the buyer, and not otherwise to be computable.

And be it further enacted by the authoritie aforesayd, that euery Billet named a Single shal conteine in compasse being round [illegible], seuen inches and a halfe of assize, and no Singles to bee made or marked out of cleft wood. And euery Billet marked one, commonly called a Tast, to conteine in compasse about, eleuen inches of assize, being round, and being halfe round to conteine in compasse thirteene inches of assize about, and being quarter cleft to conteine in compasse about twelue inches and an halfe: And euery Billet marked two, commonly called two Tast, to conteine in compasse about being round, sixteene inches of assize, and being halfe round, to conteine in compasse about, nineteen inches of assize, and being of quarter cleft, to conteine in compasse about, eighteene inches and an halfe of assize: And in all other formes or maner of cleauing of Billet to be hereafter marked and sold for Billets, which will not admit the former formes or maner of cleauing, nor any of them, And touching the length of all the sayde Billet to obserue the letter of the sayd Statute of Anno vij. Ed. vj. Cap. vij.

And be it also enacted by the authoritie aforesayd, that all Faggots hereafter to bee made and put to sale, shall conteine in compasse besides the knot of the bond foure and twenty inches of assize, and euery Faggot sticke or bend within the sayd bond to conteine in length full three foote of assize or more, excepting onely one sticke or bend to be of one foote long, to stop or harden the binding thereof.

¶ An Acte for the leuying of Fines with proclamation, of Lands within the Countie of the Citie of Chester.

The xv. Chapter.

WHereas by an Acte made in the Parliament holden at Westminster by prorogation in the fyfth yeere of the Reigne of our late Soueraigne Lorde of famous memorie, King Edward the firt, Intituled an Act for Fines with Proclamations in the Countie Palatine of Chester, It was enacted that all Fines which at any time thereafter should be leuied or knowledged before the high Justice of the sayde King, or of his heires and successors of his Countie Palatine of Chester for the time being, or before the Deputie or Lieutenant Justice for the time being of any Landes, Tenements, or other Hereditaments, lying and being within the sayde Countie Palatine of Chester, which should be openly read and proclaymed in such maner and forme as in and by the sayd Acte is particularly appointed, should be of like force, strength, and effect in the lawe, to all intents, constructions, and purposes, as Fines duely leuied with Proclamations before the sayd Kings Justices of his common Pleas were. And forasmuch as the sayd Acte, doth not extend to any Landes, Tenements, or other Hereditaments, lying and being within the Countie of the Citie of Chester, the sayd Citie with the Suburbes and Hamlets thereof, and all the land within the precinct and circuit of the sayd Citie, Suburbs, and Hamlets, being long before, by our late Soueraigne Lord of famous memorie King Henry the seuenth, by his Highnesse letters Patents, bearing date at Chester the firt day of April, in the one and twentieth yere of his reigne, diuided, exempted, and in all things separated from the sayd Countie of Chester, and from thence forth made and appointed to bee a Countie by it selfe, and in it selfe distinct,

distinct, and separate from the said Countie of Chester) so that the inhabitants within the sayd Citie, and all others being Owners of lands within the Countie of the sayd Citie, haue no meanes to leauie any fines of such their sayd lands in any of her Highnesse Courts of Record.

May it therefore please your most excellent Maiestie, the Lords Spirituall and Temporall, and the Commons of this Realme in this present Parliament assembled, That it may be enacted by the authoritie of the same, That from hencefoorth it shall and may bee lawfull to and for all and euery person or persons whatsoeuer vpon any Originall writ or writs of Couenant, or any other Originall writ or writs, whereupon fines haue vsually beene vsually leauied to be purchased out of her Highnesse Court of Exchequer, within the sayde Countie Palatine of Chester retournable before the Maior of the saide Citie for the time being, in the Portemoote Court, to be holden within the sayde Citie, To leauie any fine or fines of any Landes, Tenements or Hereditaments, lying or being within the sayd Countie of the sayd Citie of Chester before the Maior of the sayde Citie for the time being in the sayd Portemoote Court, in such maner and forme, as fines may be leauied by any Lawes or Statutes of this Realme, before the Queenes Maiesties high Justice of her Countie palatine of Chester, of lands within the same Countie Palatine. And that the Maior of the sayd Citie for the time being, shall and may hencefoorth haue full power and authoritie to receiue and record all and euery such fine and fines. And that all and euery such fine and fines, which shalbe so leauied, and which shall be openly read and proclaimed before the Maior of the sayde Citie for the time being, in the sayd Portemoote Court once at the same Court day, that the sayd fine or fines shalbe engrossed, and once within the nine next Court dayes, of Portemoote to be holden within the sayde Citie, before the Maior thereof for the time being next after the leauying and engrossing of such fine or fines, shalbe of like force, strength, and effect in the Lawe, to all intents, constructions and purposes, as fines duely leauied with Proclamations before her Maiesties saide high Justice of her Countie Palatine of Chester, of Landes within the same Countie Palatine, are or ought to be of. And whereas also the Maior of the said Citie for the time being, hath beene euer heretofore, (for and during all the time whereof the memorie of man is not to the contrary) accustomed in all and euery Common recouery or Recoueries, suffered before him in the sayde Court of Portemoote in absence of the Tenant or Tenants, Vouchee or Vouchees in such Recouery or Recoueries to award and sende foorth of the sayde Court, a writ, processe or precept of dedimus potestatem, in the name

of

of our Soueraigne Lady the Queenes Maiestie that nowis, and of her Highnesse Progenitors Kings and Queenes of England, for the time being, vnder the reste of the sayd Maior for the time being, and sealed with the Seale of his office, thereby authorizing those to whom the same was directed, or some of them, to receiue warrants of Attorneys from such Tenant or Tenants, Voucher or Vouchees, to such Attorney or Attorneys as the sayd Tenant or Tenants, Voucher or Vouchees would in his or their place or places, constitute for him or them to appeare in the sayd Court, and to gaine or lose the sayd Landes, Tenements, or Hereditaments, in or by such Recouery or Recoueries, demanded or to be recouered.

Be it also enacted by the authority aforesayd, That vpon all and euery such originall Writ or Writs hereafter to be purchased out of her Highnesse sayd Court of Exchequer, as aforesayd, for the keeping of any fine or fines within the sayd City of Chester, the Maior of the sayd City, for the time being, shall for euermore after haue full power and authority to award and send forth such like Writ or Writs, Processe or Precepts of Dedimus potestatem, as is aforesayd, to any two or moe sufficient persons, authorizing them, or some of them, to receiue and take the acknowledgement of such person or persons, as shall be willing to leuy such fine or fines, and by reason of sickenesse, or other reasonable impediment, can not come in person before the sayd Maior, for the time being, to make such acknowledgement, and that all and euery such fine and fines, as vpon any such acknowledgement made and taken by the sayd Court of Portmoote, shall be hereafter ingrossed, recorded, and proclaimed in such manet and forme as is formerly limited and appointed, before the Maior of the sayd City for the time being, in the sayd Court of Portmoote, shall be of like force and effect, to all intents, constructions and purposes, as if the same fine or fines had been personally acknowledged before the sayd Maior, and ingrossed, recorded, and proclaimed in such manner and forme, as in and by this present Act is formerly limited, appointed, expressed and declared.

Prouided alwayes, and be it enacted, That fines to be leuied by vertue of this Act, shall be subiect to be reuersed, and may be reuersed vpon Writs of Errour to be sued and prosecuted before the sayd high Iustice of the sayd County Palatine of Chester, as other Iudgements giuen by the sayd Maior in the sayd Portmoote Court may be and haue vsed to be, if there shall be found errour in the same fine or fines.

An acte for the reedifying, repairing and maintaining of two Bridges ouer the riuer of Eden, neere the Citie of Carliel in Cumberland.

The xvj. Chapter.

WHereas by an Acte made in the two and twentieth yeere of King Henrie the eight, It was enacted that all decayed Bridges, being without Citie or Towne corporate should be repaired at the costs and charges of the inhabitants of the Shire or Riding, within the which the saide Bridges decayed should happen to be: and if it be within any Citie or Towne corporate, then by the inhabitants of euery such City or Towne corporate, wherein such Bridges shall happen to be. And whereas there is two great Bridges of timber, the one called Eden Bridge, and the other Pressbecke Bridge, standing ouer the riuer of Eden, both of the said Bridges being nigh adioyning to the said Citie of Carliel, and not belonging thereto, yet neuertheleſſe are most neceſſary and behouefull for the common vſe and paſſage of your Highnes Subiects in thoſe parts towards the borders of England, against Scotland, as also for cariage and conuoy of such munition and forces as are sent into thoſe North parts for the neceſſarie defence thereof (without the which no paſſage is there to be had) the one of the said Bridges called Eden Bridge, being now of late fallen downe and vtterly ruined, and the said other Bridge called Pressbecke, in great decay, as that the same cannot be reedified nor repaired by the poore inhabitants neere the same, by reaſon of their extreme pouerties and ruined eſtate, without the generall aide of the sayd Countie of Cumberland.

Be it therefore enacted by the authority of this preſent Parliament, that the saide Shire or Countie of Cumberland shall bee charged & ſtand chargeable, for the erecting, maintaining, repairing,

ring, amending and new making of the saide Bridges, [illegible] and as often as neede shall require, and that for the assess rating, collection, gathering, and imploying of such [illegible] summe and summes of money, as from time to time shall [illegible] full for the building and repairing of the said Bridges, such and order shall be obserued in all things by and through [illegible] Countie, as is appointed by the foresaid Acte made in the [illegible] twentieth yeere of King Henry the eight, to be obserued for [illegible] payring and amending of Bridges in seuerall Ridings [illegible] cases.

Prouided alwayes, that this Acte or any thing therein [illegible] ned, shall not extend to giue power or authoritie to the Iust Peace in the said County of Cumberland, to charge any [illegible] bitants of the Lordship of Myllam within the said Cou[illegible] are alreadie, and time out of mind haue bene bound to a[illegible] paire, or reedifie the Bridges vpon and ouer the Riuer streames in the said Lordship at their owne charg[illegible] with any contribution towards the repairing or reedifying of the Bridges called Eden Bridge and Prestbecke Bridge aforesaid.

God saue the Queene.